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# TECHNIQUES FOR AFFECTING PUBLIC POLICY: INDIVIDUAL AND INTEREST GROUP INFLUENCE ON STATE LAND USE PLANNING IN VERMONT

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The report presents the results of survey research on the effects of interest groups, public policy advocates and other nonlegislative influences on land use and development planning in Vermont. A model strategy for effective public policy advocacy is developed based on solutions to four communications decisions, namely: a target decision, a timing decision, a content decision, and a media decision. The model was tested against Vermont's experience with its statewide Land Capability and Development Plan. Of the three principal groups which sought to influence the Plan during the period June 1971 through April 1973, when the Plan was adopted by the legislature, one exerted a substantial influence; the efforts of the other two were probably counter-productive. The group which was effective met most of the requirements of the theoretical advocacy model; the other two did not. The report contains a complete list of all reports produced by the Citizen Participation Project and a complete project bibliography.

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## ABSTRACT

This report presents the results of research on the effects of interest groups and other non-legislative influences on public policy in state government.

Public policy advocacy is defined as any organized or sustained activity by an individual or group which seeks to influence either the content or approval of current or prospective public policy.

A model strategy for effective advocacy is developed based on solutions to four communication decisions, namely: a target decision, a timing decision, a content decision, and a media decision.

Understanding the target decision requires a knowledge of where the advocate operates in relation to other decision making groups. It is suggested that the public policy advocate should function as an informal adjunct of or surrogate for the administration. Influence is probably greater on the content than on the final approval or vote for a policy.

The timing decision concerns the correct phasing of an advocacy campaign with the four stage cycle of government policy making. This cycle consists of; problem detection and definition; determining objectives which would constitute a solution to the problem; determining the specific legislative or administrative policy to achieve the desired objectives; and controlling the implementation of policy once it has been approved. Having determined where along this cycle consensus or dissent exists among legislators, administration leaders, interest groups, and the general public, positions supported by the advocate should address issues at that stage where dissent exists among the targets of an advocacy campaign.

The content of the advocate's campaign should provide the policy maker with information he (the policy maker) requires to make his timing and content decisions. Thus, the advocate must be able to demonstrate to the policy maker where consensus exists among other decision-making bodies, and he must have the legal and technical capability to provide the policy maker with precise proposals concerning a public problem, objective, or policy.

The most effective medium for transmitting policies and proposals supported by the advocate is probably through members of the informal policy elite surrounding state government policy makers. For the advocate to attain membership in this group is a long-term process involving several advocacy campaigns on related issues.

The model was tested against Vermont's experience with its statewide Land Capability and Development Plan. Of the three principal groups which sought to influence the plan during the period June 1971 through April 1973 when the plan was adopted by the legislature, one exerted a substantial influence; the efforts of the other two were probably counter-productive. The group which was effective met most of the requirements of the theoretical advocacy model; the other two did not.

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During the evolution of Vermont's Land Capability and Development Plan from the passage of enabling legislation in 1970 to final legislative approval of the Plan in April, 1973, the activities of one private group, the Steering Committee of the Environmental Planning Information Center, together with the activities of some of its members acting individually, exercised substantial influence on the plan's content, and, to a lesser extent, on its adoption. Other groups and individuals representing business or real estate interests not only failed in their efforts to defeat administrative and legislative approval of the plan but may, by their tactics, have contributed to their opponents success.

Why did this happen? What does this process tell us generally about the effects of interest groups and other non-legislative influences on public policy in state government? What strategies are suggested for enhancing effective public participation in governmental decisions?

This report attempts to answer the first two questions within the framework of a theory of individual and interest group influence on decision making in government. Analysis of the Vermont experience will focus primarily on the period beginning October 1971 when Benjamin Partridge was appointed Director of State Planning by former Governor Davis, and ending in April 1973 when the "Land Capability and Development Plan" was approved by the legislature.

To begin it is necessary to describe briefly the background of this study.

## 1. INTRODUCTION: ACT 250, VERMONT'S CAPABILITY AND DEVELOPMENT PLAN, EPIC'S CITIZEN PARTICIPATION PROJECT.

In 1970 the Vermont legislature passed Act 250, "An Act to Create an Environmental Board and District Commissions."[1] Under the act, all developments and subdivisions of land falling into specified classes are required to obtain a permit from the state. Permits are to be granted if a development or subdivision meets ten requirements ranging from provision for adequate water supplies to preservation of aesthetic values. The authority to grant permits for development or subdivision is vested in eight district environmental commissions. Appeals from the findings of the district commissions are heard by the Vermont Environmental Board and, ultimately, by the Vermont Supreme Court.

In addition to the permit process described above, Act 250 further requires that the Vermont Environmental Board prepare a comprehensive statewide land capability and development plan and a land use plan. These plans are supposed to provide substantial guidelines to direct the regulatory function of Act 250 toward the satisfaction of the ten goals embodied in the permit requirements.

The planning process consists of three stages:

1. The Interim Land Capability Plan (Act 250, Sec. 18) which "describes the present use of the land and defines in broad categories the capability of the land for development and use based on ecological considerations."

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[1] The genesis of Act 250 is described in detail in "The Efficacy of Vermont's Act 250: The Evolution of an Environmental Law", John H. Marshall, EPIC, Montpelier, Vermont, May, 1971.

The "interim plan" was written by the Vermont State Planning Office and was adopted after substantial amendment by the Environmental Board and the Governor in February and March 1972.[2]

2. The Land Capability and Development Plan (Act 250, Sec. 19), which seeks to guide and accomplish a "coordinated, efficient and economic development of the state..." subject to ecological and other general constraints defined by Act 250.

3. The Land Use Plan (Act 250, Sec. 20) consisting of "a map and statements of present and prospective land uses based on the Capability and Development Plan (Sec. 19) which determine in broad categories the proper use of the lands in the state."

In September 1971 seven district environmental task forces were appointed by the Governor to assist the Environmental Board and the State Planning Office in drafting the Sec. 19 and Sec. 20 plans. Presentation of the task force reports was made at a series of seven informal public meetings held throughout the state during May and June 1972. During the summer and fall of 1972, the State Planning Office, in concert with the Environmental Board, prepared drafts of the plans. The drafts were completed and publicly released in a mailing to all Vermont households in the final week of November. During the first two weeks of December, the Environmental Board held eight formal public hearings on the plans throughout the state. Upon completion of the hearings the plans were reviewed by the Environmental Board in consultation with representatives of both the Governor (Deane Davis) and the Governor-elect (Thomas Salmon). At that time, it was decided to postpone further action on the Land Use Plan (Sec. 20), pending approval by the Legislature of the Land Capability and Development Plan (Sec. 19). In early January 1973 the latter plan was formally adopted by the Environmental Board and by Governor Davis, before he left office. It was then submitted to the Legislature for approval as a joint resolution.

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[2] From Feb. 1971 until Jan. 1973 Benjamin W. Partridge, Director of State Planning, was also the Chairman of the Environmental Board. In January, 1973 Arthur Ristau, formerly Director of EPIC, became the Director of State Planning and Schuyler Jackson, formerly Assistant Secretary of the Agency of Environmental Conservation, was appointed Chairman of the Environmental Board. William S. Cowles was Chairman of the Environmental Board from June 1970 - February 1971.

Legislative leadership decided that the plan would be more appropriately handled as a bill than as a resolution. Thus, in January the resolution was redrafted, with modifications, in bill form by special legislative consultant Jonathan Brownell.

The first legislative committee to consider the bill was an ad hoc committee consisting of representatives of several standing House Committees. A majority of this committee was strongly opposed to the origiral bill form of the Capability and Development Plan and substituted a sharply modified and much less comprehensive version of its own, known as the "Meaker Plan." The "Meaker Plan" was then reviewed in the latter half of February by the standing House Natural Resources Committee, which returned the Plan to substantially its original form, the so-called "Brownell Plan." This version, together with a provision for land use taxation, was passed by the House with a large majority on March 20.

On March 21, the House approved plan was sent to the Senate where it was considered first by the Natural Resources Committee and then by the Judiciary Committee. Although delays occurred in the latter Committee, while its Chairman (T. Garry Buckley) seemed to hold the plan as ransom pending release of the repeal of Vermont's non-returnable "Bottle Ban" law being held up by the House Natural Resources Committee, on April 13 the Senate accepted the plan with some amendments on a voice vote. On the same day the House Natural Resources Committee agreed not to contest the Senate's amendments and on April 14, the last day of the session, after some intense parliamentary maneuvering again related to the repeal of the "Bottle Ban", the House concurred overwhelmingly with the Senate version of the plan.

Because of the sensitive nature of the physical, economic, and social issues arising in the formulation of the Act 250 plans, new techniques for facilitating communication and bargaining between planners and decision-makers, and the public were required. To meet this need, in December 1971, the Environmental Planning Information Center of Montpelier submitted a proposal to the National Science Foundation to "develop, implement and test a prototype citizen feedback system for environmental planning in Vermont."

The project has three goals:

1. To initiate viable two-way communication between the electorate of Vermont and governmental decision-makers involved in Act 250 planning.

2. To develop general methods for the improvement in quality and effectiveness of citizen participation in social planning which may be applied to other fields on the local, state and national levels of government.

3. To develop a general model describing the coordinated roles of expert opinion, public opinion, and the special interest group in the formulation of environmental policy at the state level.

This report presents the research undertaken by EPIC's Citizen Participation Project in pursuit of the third goal; it is divided into five principal sections as follows:

- description of the purposes and methods of the study;
- an analysis of alleged sources of influence on the Plan in order to locate the potential targets for an effective advocacy compaign.
- the formulation of an abstract model specifying the timing, content, and medium for effective advocacy.
- a comparison of activities by various groups and individuals with the model in an attempt to explain why some groups were successful and why some failed in their efforts to influence the Land Capability and Development Plan in the administration and legislature; and
- the summary of general conclusions to be drawn from the analysis.

## II. The Study

### A. Purposes:

Public opinion in the form of personal letters or poll results is only one of the many influences on the legislative consideration of a bill. Others, such as individual lobbying by members of an administration and influential private citizens, expert testimony, leadership by influential legislators, and organized activities by interest groups, usually play a far greater role in determining the outcome of any legislative vote. In general, effective citizen participation in government presupposes a knowledge of the system of influences affecting a governmental decision. Armed with this knowledge the person who wishes to influence public policy can then determine where individual or group pressure should be applied as well as what form it should take.

While one purpose of the research was to understand how interest groups, their individual leaders, and administration officials influenced the content and passage of Vermont's Capability and Development Plan, this is subordinate to obtaining an understanding of why some were successful in their efforts and others were not. In terms of the long-range improvement of citizen participation it is perhaps most useful to attempt to construct a general model for influencing public policy which may be applicable to other situations beyond the context of environmental planning in Vermont. Then, once this model has been formulated and tested, it should be possible to suggest a strategy by which citizen participation could play a significant role.

This report considers only the first three objectives listed above; the adaptation of the model to the requirements of broad based citizen participation must be the subject of future analysis, since it depends on the results of other EPIC research.

Finally, before describing the specific research strategy employed, two general methodological problems should be considered. First, it should be noted that all analyses, models, and findings reported here are only based on Vermont's experience with the statewide land use and development planning mandated by Act 250. To what extent this experience is unique and to what extent the findings would apply to other areas of public policy and the other political units is not precisely known. The report, however, draws general conclusions where possible in the hope that the findings will prove useful as hypotheses to be confirmed, rejected, or modified by other workers in the field.

Second, large portions of this study constitute a self-analysis of EPIC by EPIC. While such a situation is undesirable since the analyst's objectivity is difficult to maintain, it was, nevertheless, practically unavoidable. EPIC's Citizen Participation Project contains both implementation and research components. Furthermore, at the time EPIC submitted its proposal, the National Science Foundation asked for and received assurances that EPIC possessed good lines of communication with government policy makers to ensure that the findings of implementation projects would be heard. The project director and the director of EPIC could make these assurances because several members of EPIC's Steering Committee were and are now also important figures in the administrations of Governors Davis or Salmon or were members of the Vermont Environmental Board. Given this requirement and given the dual purposes of EPIC's Citizen Participation Project, it was almost inevitable the EPIC research would at some stage be forced to analyze its own implementation projects as well as the activities of individual members of EPIC's Steering Committee.

The only possible way to have avoided the situation would have been to fund two separate groups to perform two separate projects; one devoted to implementation and the other devoted to research. But that solution would merely have tossed the problem to a higher level, since the close coordination between the design of research and the design of implementation which was desired would have once

again subjected any separate research project to the same conflict of interest currently contained within EPIC.

While the author can only hope that the major pitfalls of this situation have been avoided in preparing this report, generally, the institutional setting for social science and management research such as the Citizen Participation Project must be carefully explored in the future.[3]

B. Research Strategy:

Public policy decision-making can be described as a four-stage cyclical process: The stages are:

1. detection and definition of a problem;
2. determination of the objectives which would constitute a solution to the problem if achieved;
3. determination of the specific legislative or administrative policy to achieve the desired objectives; and
4. monitoring and controlling the implementation of an approved policy to make sure that it does achieve the desired objectives.

At each stage in the cycle the public policy advocate may seek to exert his influence.

Advocacy, whenever it occurs necessarily involves some form of direct or indirect communication between the advocate and the decision-maker. For communication to occur four decisions are required:

1. The Target Decision: To whom should information be communicated?
2. The Content Decision: What information should be communicated?
3. The Media Decision: How should the information be transmitted and how should it be translated from the advocate to the decision maker?
4. The Timing Decision: When should information be communicated?

The timing decision revolves upon the correct phasing of an advocacy campaign with the cycle of decision-making described above.

[3] The author's thoughts on this subject are given in greater detail elsewhere. c.f. Scoville and Noad, "Citizen Participation in State Government", EPIC, Oct. 1973.

First consider the target decision. Let us assume that an advocate who is concerned about an issue thinks there is a reasonable chance of influencing governmental decisions, the first question he must answer is whom should he seek to influence in order to have the greatest effect on the final policy?[4] Section III of this report attempts to answer this question by analyzing the sources of influence on individual legislators, administrators, and interest group leaders. First a flow diagran of the system of alleged influences on the plan is developed. Then the relative strength of each line of influence is computed. Data for these computations are taken from personal interviews with sixty-four of the one hundred and fifty member Vermont House of Representatives, all thirty members of the Vermont Senate, selected administration policy makers and members of the Vermont Environmental Board.[5] This survey contained two stages; the first was performed prior to passage of the Plan by the House, the second consisted of reinterviews with a sample of the original interviewees after passage.

Having decided whom to try to influence, the advocate must then decide upon an appropriate technique for exerting influence on the chosen decision makers. That is, the advocate must determine the correct timing, content, and medium for his campaign. In Section IV theoretical solutions to the timing, content, and media decisions are proposed. These solutions are seen to be similar to those discussed by Holtzman in his study of interest groups and lobbyists in the United States Congress.[6] Taken together with the solution to the target decision discussed previously, they provide a model campaign strategy for the public policy advocate.

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[4] The more difficult question of deciding when an issue is a live one will be answered later, in Section IV, when considering the timing of an advocacy campaign.

[5] A complete description of this survey is given in Appendix A of this report.

[6] Holtzman, A.; Interest Groups and Lobbying, MacMillan Company, New York, 1966.

The question remains, does the model strategy work? In Section V the model is compared with the actual activities of various interest groups and advocates seeking to influence Vermont's Capability and Development Plan. Data for this comparison are drawn from the survey of legislators and administrators mentioned earlier, newspaper reports, and personal interviews with spokesmen for major statewide interest groups.[7]

It should be noted that the conclusions derived here will be cast in terms of a policy which receives expression in the passage or rejection of a bill by a legislature; however, much of what is said ought to apply to other forms of government policy making.

C. Definitions and Concepts

In order to avoid possible misunderstanding, it is useful at this point to define as precisely as possible the central concepts to be employed in the analysis which follows.

First, the concept of public policy advocacy. Public policy advocacy will be defined as any organized or sustained activity by any individual or group which seeks to influence either the content or approval of current or prospective public policy. It excludes sporadic expressions of opinions (such as an individual writing a letter to his legislator) by individuals. It will be taken to exclude activity carried out by an individual or group within the government which is solely responsible for making decisions at a given stage of policy making. Thus, it excludes attempts by legislators to pursuade other legislators to vote for a bill; it includes attempts by members of an administration to influence legislators on the passage of a bill. Public policy advocacy embraces a wide range of activities ranging from formulating policy proposals for decision-makers in government, to providing decision-makers with information which gives technical support for a

[7] The Survey of interest group spokesmen is described in Appendix B.

policy proposal, to campaigns which promote citizen awareness of problems addressed by a policy, and to influencing the appointment of government officials.

An individual or group engaged in advocating public policy will be called a public policy advocate or, shortened, an advocate. The term lobbying, which some conceive to be an attempt by a professional advocate to influence legislation, will not be employed in any formal analyses contained here. This course was followed because it is nearly impossible to arrive at a clear functional definition of the concept which does not exclude many practically indistinguishable attempts to influence public policy. Further, since many of the most effective advocates were individuals who avoided the stigma of "lobbyist" in the minds of legislators, while achieving the same end result, a neutral term is more appropriate in this report.[8]

The concept of an interest group is particularly difficult to define since there are at least four possibilities each of which is suitable for some purposes and unsuitable for others. In the narrowest sense, an interest group could be defined as a formal, legally constituted organization which seeks to influence public policy. Under this definition the Vermont Natural Resources Council is a group but not an interest group since it does not attempt to influence directly the process of public policy formulation.[9] On the other hand, the Council's research subsidiary, EPIC, is not only a group but also an interest group, since the Center attempts to influence directly land use policy through its public information programs. A second slightly broader concept would define an interest group as a collection of individuals who consciously act together to influence public policy according to some plan or formal decision made by the members. In this sense the members of the EPIC

[8] c.f. Noad, C.E.A., "Government Attitudes Toward Citizen Communication", EPIC, Montpelier, October, 1973, p. 5.

Steering Committee constitute an interest group with respect to activities performed under EPIC research grants.[9] On the other hand, in this sense, the Steering Committee does not constitute a group with respect to public policy proposals made by some of its individual members to legislators.

The third sense in which the concept of an interest group could be employed is that of a collection of individuals whose actions are generally correlated or associated. Under this definition, the actions of members of a group could take the form of a plan which could achieve certain results, even though the individual members did not set out consciously to act in concert. It is this concept which is employed when one speaks of social groups such as "businessmen", "blue-collar workers", or "environmentalists." Correlated here means simply that there exists some rule or function which maps an action of one subset of the group into an action of another subset of the group. It does not necessarily imply similarity of behavior. When the rule for associating or correlating the behavior of the members of a group is the model for influencing public policy developed in Section IV, then the members of the EPIC Steering Committee do form a group under this definition. Other organizations such as Common Sense Associates were not groups in this sense but were groups under some earlier definitions.[9]

Note that the third definition of an interest group refers to what a collection of individuals actually did; the fourth concept incorporates the perceptions by other people of a collection of individuals. Under the fourth definition a collection of individuals forms an interest group whenever the actions of the members of the group are believed by other individuals not belonging to the group to be correlated or associated as defined above and are believed to influence public policy. In this sense, the EPIC Steering Committee and

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9 The Vermont Natural Resources Council, the Environmental Planning Information Center (EPIC), the EPIC Steering Committee, and Common Sense Associates are described in Section V.

perhaps the whole EPIC-VNRC organization do seem to form an interest group in the minds of some legislators, administrators, and some other interest group representatives.

The first and second definitions of an interest group, since they define a group in terms of its organization, constitute structural definitions; the third and fourth definitions, since they define an interest group in terms of its activities, constitute functional definitions. The third definition which defines an interest group in terms of its actual activities will be called an objective functional definition; the fourth which defines an interest group in terms of activities which non-members believe a group performed will be called a subjective functional definition. Evidently, there can also be subjective as well as objective structural definitions of our interest group.

In Section III when discussing the perceived influences on legislators, administrators, and interest group representatives, the subjective functional definition is always employed since the data for that analysis is always based on responses to the question, "What persons or groups do you think had the most influence on the passage (content) of the Land Capability and Development Plan in the House (Senate)?" In Section V when comparing the actual activities of various groups and individuals to the abstract advocacy model developed in Section IV, the objective functional definition of a group will be employed since the data for that comparison are the actual activities of organizations or individuals.

## III. Perceived Influences on Legislators, Administrators, and Interest Group Leaders: The Target Decision

Before one can influence governmental decisions one must know whom to try to influence. In this section we shall map the perceived relative influence of various groups on the Land Capability and Development Plan. Analysis of legislative influences will focus on the House of Representatives since it was in that house that the preponderance of debate over

the Plan occurred. In general, perceived influences in the Senate were similar to those observed by members of the House except that there seems to be a slightly greater tendency for the Senate to view itself as a body of self-appointed experts unaffected by the administration, advocates, and the general public.[10]

In seeking to influence a policy there are three possible objectives which an individual or a group might seek: first, if passage of the bill or acceptance of a policy seems assured in some form, he can attempt to influence its content; second, if the content of the bill or policy seems relatively determined, he can attempt to influence the passage or approval; and third, he may attempt to influence both the content and passage. Influence on the content of a bill may, of course, occur prior to its formal submission to the legislature by an administration or an individual legislator.

To estimate these two types of influence on the plan, after passage by the House, the sample of representatives and administration policy makers interviewed in the follow-up decision-maker interviews were asked: whom they thought had had "the most influence on the content of the plan" and whom they thought had had "the most influence on the passage of the plan." Responses to these questions were coded separately. Interest group spokesmen interviewed on the follow-up interviews were asked the general question, "Whom or what groups they thought had had the most influence on the Plan in the legislature." In coding these latter interviews it was not believed valid to segregate responses according to whether influence was exerted on the content or passage.

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[10] It has been suggested that this tendency may be a result of the fact that the Senate did not consider the Plan until after it was passed by the House. See Noad, op cit, "Government".

It must be emphasized that the analysis in this section is based on the perceptions of the influence which a group or individual was believed to have on the plan. Since the object is to determine whom one ought to contact and since it would seem natural to contact individuals who are believed to have influence on a policy, the fact that an individual is not consciously exercising his influence or the fact of whether or not be believes himself to be influential is irrelevant in this context.

Furthermore, it should be noted that suggestions made here concerning whom the advocate ought to contact are prescriptive. Except for one or two illustrative examples, no assertion is made in this section that any individual, advocate, or interest group did act in the manner proposed.

When analyzing the content of responses to these questions, those interviewed were grouped into six categories: House king-makers (such as the Speaker), and influentials (such as members of the House Natural Resources Committee); other representatives not included among king-makers and influentials; policy-making members of the administration and Environmental Board; private advocates and interest group spokesmen; interested citizens (such as environmentalists, farmers, and other classes of citizens who were specifically affected or concerned about the plan); and, finally, the general public.[11] Several methods for aggregating responses over the members of each group were considered. It was decided that the percentage of total respondents in a group who mentioned any given group would

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[11] The term "environmentalist" as used by members of the government refers to individuals interested in preserving the environment at the expense of the economy if need be. The general public is any adult Vermont citizen not falling into one of the previously defined categories. Environmental Board members were grouped with the administration since it is the Board's policy-making function not its quasi-judicial regulatory function which is being examined here.

provide the best indicator of influences on the plan.[12] Complete tabulations of the system of perceived influences on the content and passage of the plan are shown in Figures 1a-b respectively. Arrows point from the group alleged to have an influence to the group which alleges the influence. For example, in Fig. 1a the arrow pointing from House king-makers and influential representatives to the administration tells us that 61% of the sample of the administration mentioned these representatives as among those persons who had the most influence on the content of the Plan. In these tabulations no weighting of individual responses was attempted. Thus, the influence of some people such as the Speaker of the House is probably underestimated; however, since the figures will only be employed to analyze the order and not the magnitude of each group's influence on the Plan, it does not seem likely that this shortcoming will affect the conclusions.

Since the percentage figures given in Figures 1a, b are only rough indicators of the relative influence of different groups' on the Capability and Development Plan, it is necessary to classify each line of influence simply by its rank order among all the influences affecting each group.[13] The result of this reduction of Figures 1a, 1b is shown in Figures 2a, 2b. For example, in Figure 2a the number 2 beside the arrow proceeding from House king-makers and influential representatives to the administration signifies that king-makers and influentials were the group mentioned by the second

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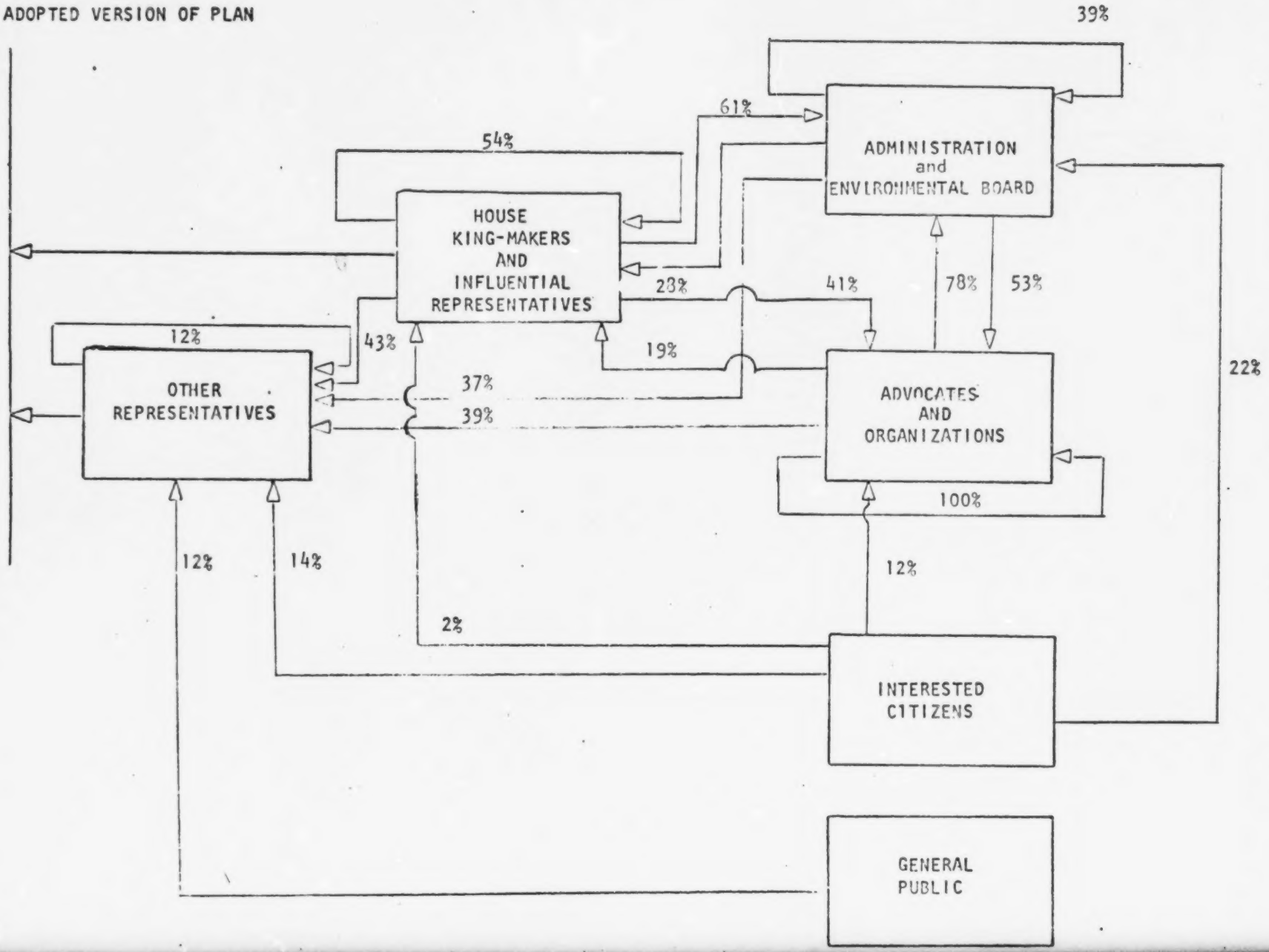
[12] In the follow-up interviews, 22 House king-makers and influentials, 10 other representatives, 6 administration spokesmen and 18 interest group spokesmen were contacted. For members of the legislature this represented a sample stratified according to the movement of opinions on the Plan from January-April 1973. All percentages computed here are weighted estimates of their values for the entire membership of each group. No interviews were conducted with interested citizens or the general public hence the arrows indicate only their influence as perceived by the government or interest group spokesmen. C.f. Appendices A, B. An alternative indicator of perceived influence, namely, the number of times a given group was mentioned by a given group of respondents as a percentage of the total number of influences mentioned by the group, was also computed. Since the order of these tabulations was found to be in substantial agreement with the figures given in the text, the alternative indicator was discarded.

[13] From a statistical point of view, the accuracy of the sample was only sufficient to analyze differences between responses. The observed percentages are not reliable as point estimators for the whole House.

FIG

CONTENT

ADOPTED VERSION OF PLAN



PASSAGE
FINAL VOTE ON PLAN

Fl. 6b

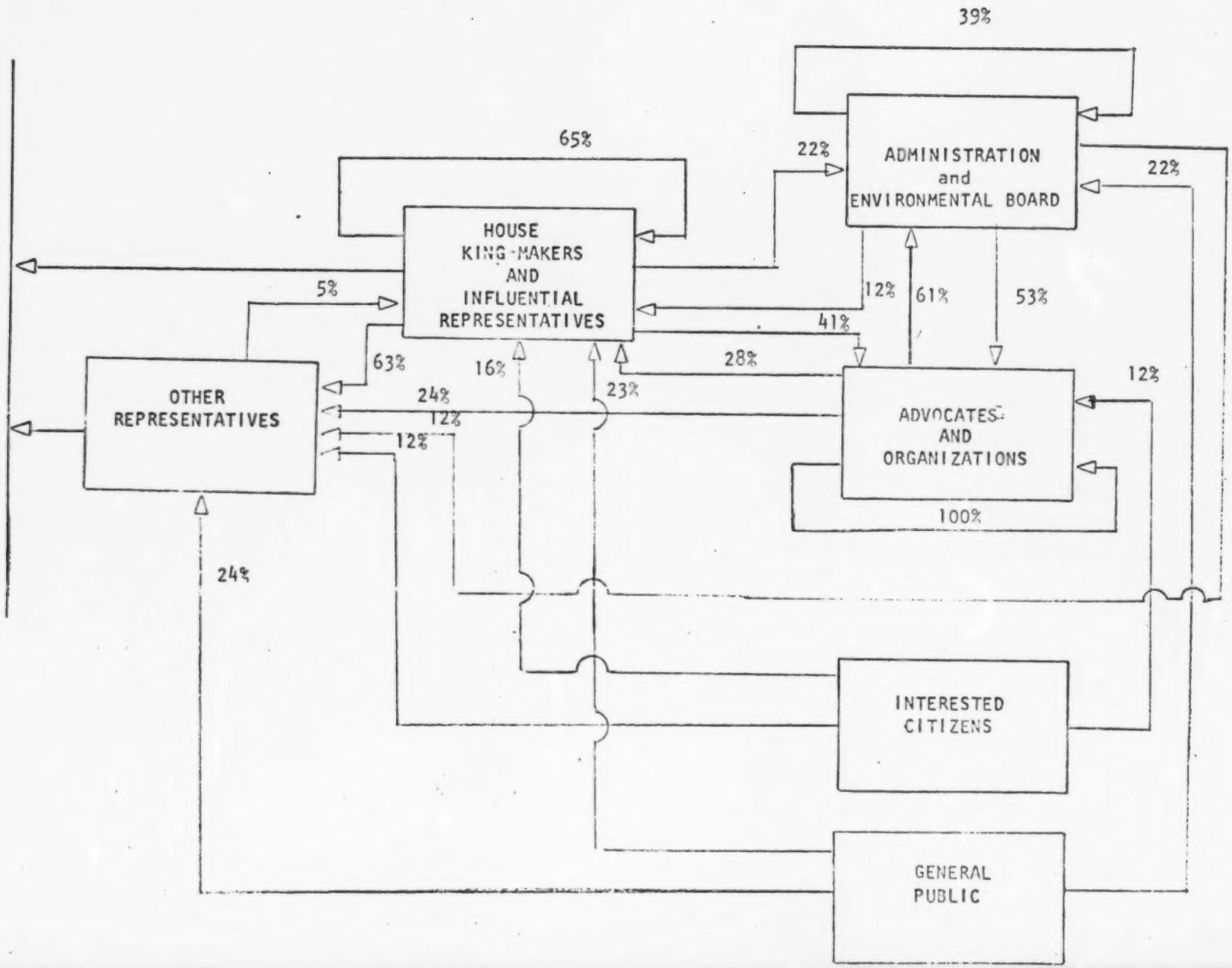
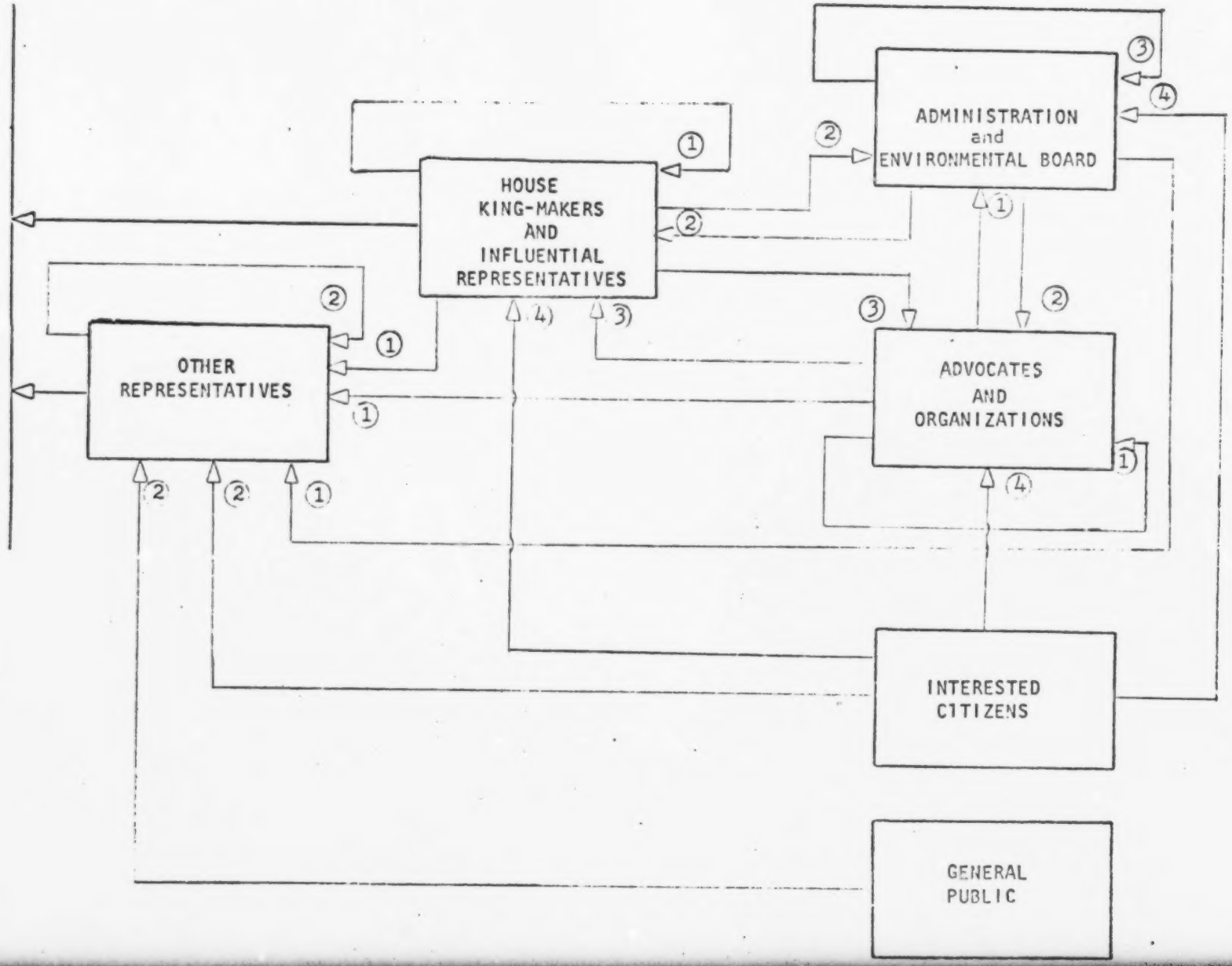


Fig 2a

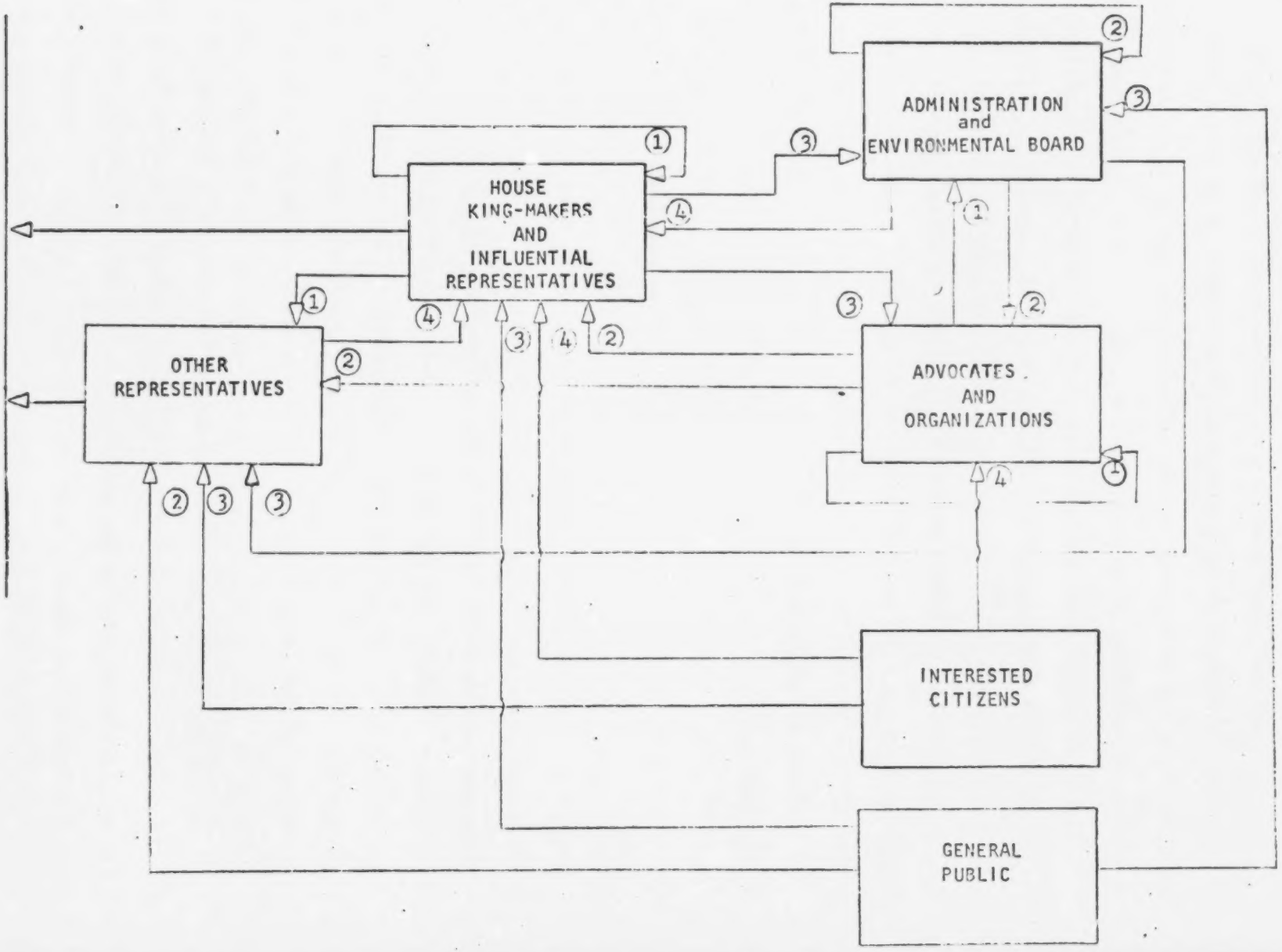
CONTENT

ADOPTED VERSION OF PLAN



PASSAGE
FINAL VOTE ON PLAN

FIG 2b



highest percentage of members of the administration and Environmental Board interviewed in the follow-up interviews of government decision-makers.

Before beginning the analysis of the system given in Figures 2a, 2b, the question remains as to what interpretation should be placed on the lines running between each group. It seems plausible that interview responses are indicators of a correlation or association between attitudes and votes or desired votes for the different groups. These correlations could be negative as well as positive, implying that one group such as king-makers could, out of instinct, always act in opposition to the wishes of another group, say public policy advocates. The strength of a line of influence, designated by the order number next to each arrow, then indicates the ordinal strength of the positive or negative correlation between the activities of a group and the activities of another. Employing this concept of implied correlations one can say that lines between groups probably indicate degrees of "influence" by one group on another, whereas loops within a given group suggest the degree of internal "cohesion" between members of the same group.

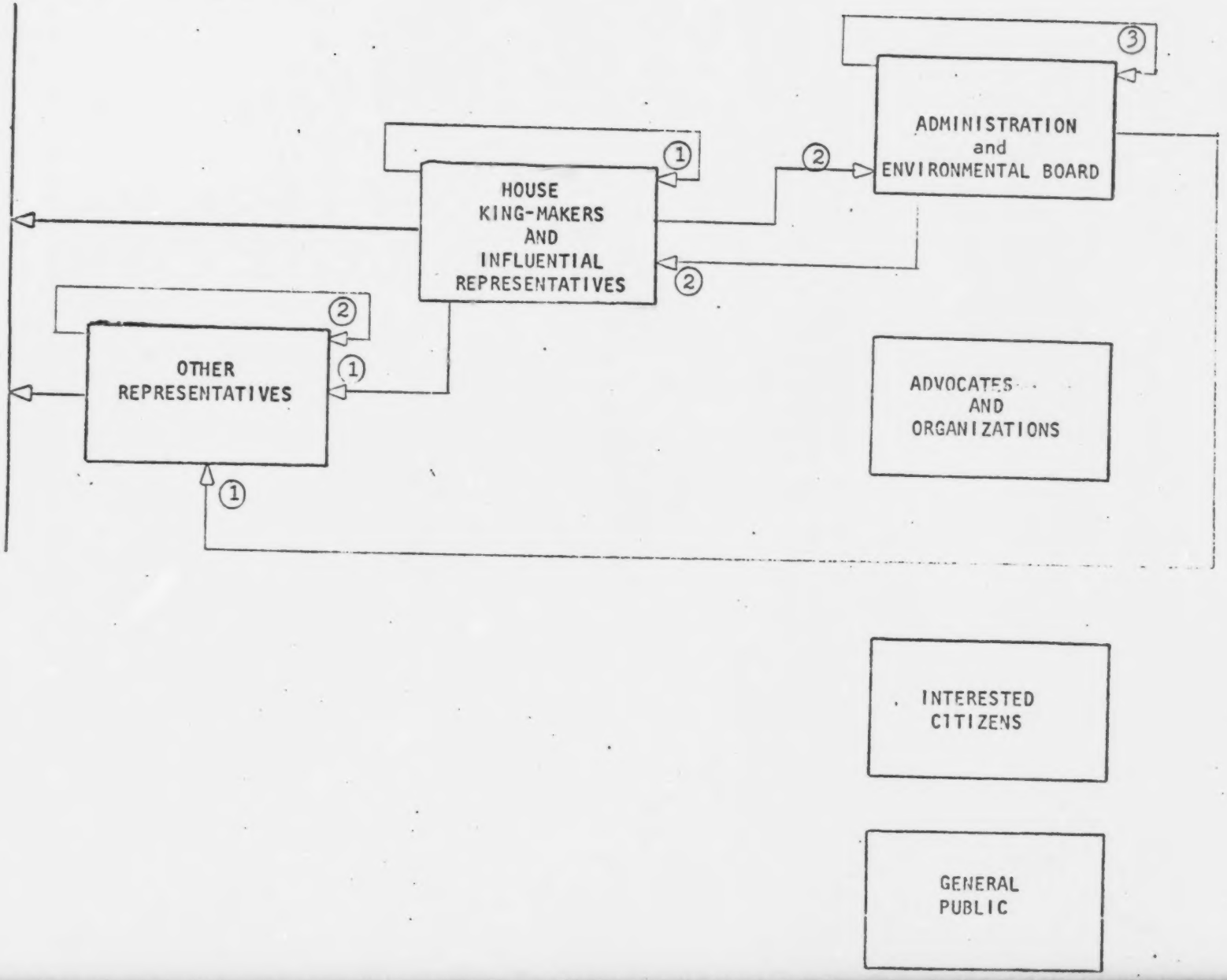
In order to gain an understanding of the complex system given in Figures 2a, b, it is useful to break it down into three simpler subsystems comprised of the relations between governmental groups; the relations between advocates and organizations and the government subsystem; and the relations between interested citizens and the general public and the governmental and advocate sub-systems. These three sub-systems of influence on the content and passage of the Capability and Development Plan are shown in Figures 3a, 3b, Figures 4a, 4b, and Figures 5a, 5b, respectively.

We turn now to consider the influences among major components of the government. Both Figures 3a and 3b point to the relatively high internal coherence of king-makers and influential representatives and the low coherence or amorphous quality of the group of other representatives; the administration seems to rank somewhat between these groups along this dimension.

CONTENT

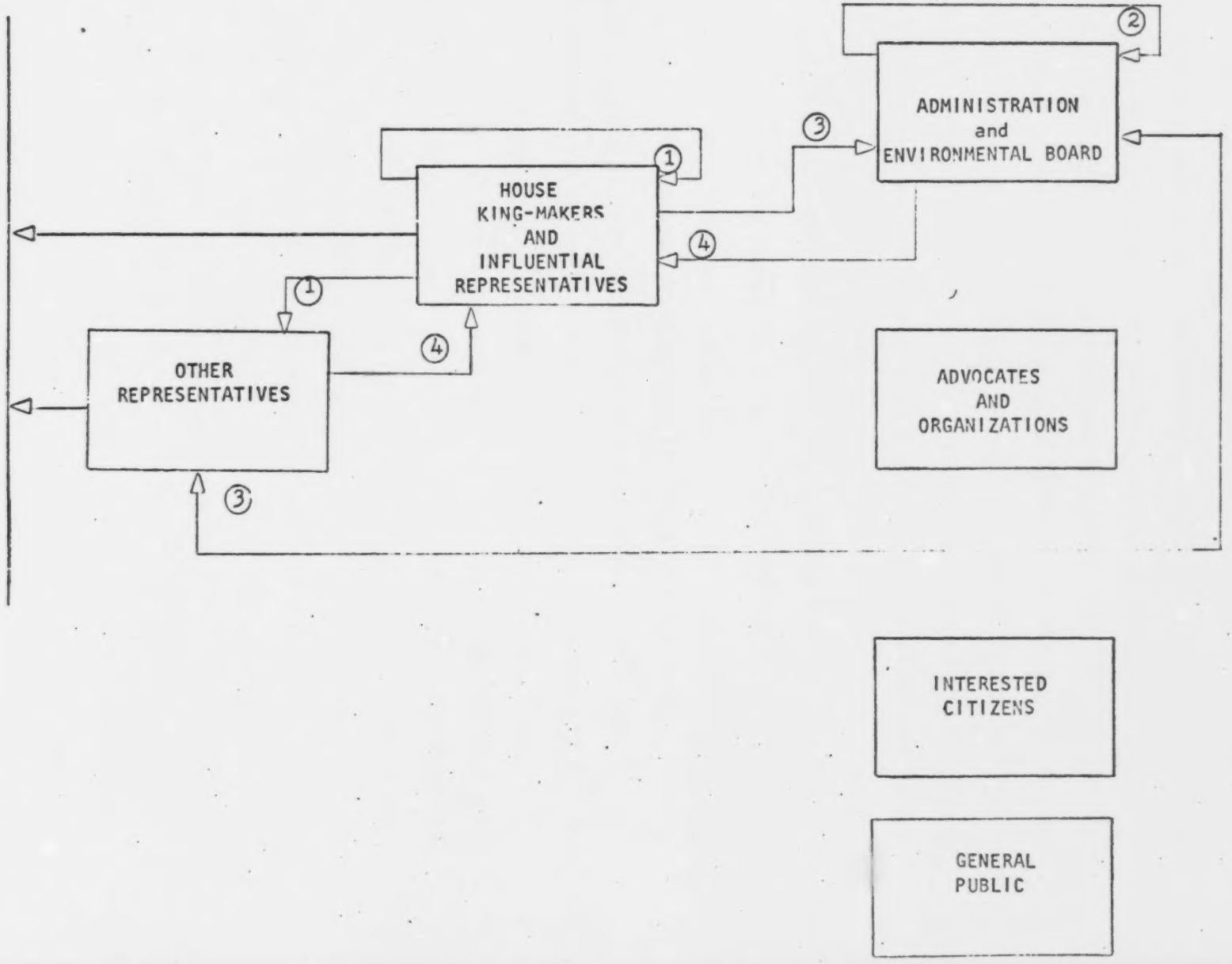
ADOPTED VERSION OF PLAN

FIG 3a



PASSAGE
FINAL VOTE ON PLAN

FIG ?



As far as an advocacy strategy is concerned, this finding implies that if one succeeds in pursuading a few king-makers and influentials to adopt a position then the remainder of the group will fall into line. On the other hand, success in pursuading a few members of the "other representatives" implies very little about the vote of the remaining members of that group. Thus, advocacy aimed at king-makers and influentials should probably be performed on an individual basis but advocacy aimed at other representatives should probably be broadcast over the entire group. Attempts to seek administration backing on the passage of a bill ought to be fairly effective if one convinces a few relevant administration officials to back a bill. On the other hand, since administrators are more likely to have independent opinions on the content of legislation, it would seem important to convince all the relevant administrators of the validity of one's position on the content of the bill.

Turning now to the relationships between different components of the government, it seems evident that, if king-makers and influentials can be pursuaded to back the passage of a bill, then a favorable vote will probably be forthcoming. Administration influence on the passage of a bill, to the extent that the debate over the Capability and Development Plan is typical, appears quite weak both on king-makers and influentials and on other representatives. This is not to say that the administration's influence on a bill is negligible, but it does suggest that its influence may flow from its pre-eminent ability to shape the content of legislation and to propose viable compromise amendments when conflict between different factions in the legislature exists. This inference is clearly illustrated in Figure 3a. There one sees that "other representatives" recognize the equal influence of the administration with king-makers and influentials on the content of the Plan. As might be expected, from their positions and from their greater degree of coherence during the debate, king-makers and influentials consider the administration's influence on the content of a particular bill secondary to their own.

Summarizing the remarks so far, it appears that in attempting to influence the passage of a bill, an advocate should undertake a personal campaign to convince a few key legislators, whom he thinks will be amenable, to support his position. This should be coupled with a broad-based effort to pursuade a large number of individuals among "other representatives" to support passage or rejection of a bill. There is evidence from other questions asked in the survey that such a campaign should not attempt to harass unfavorable legislators but should concentrate on those individuals who are suspected to be favorably disposed or undecided as to the merits of passage.[14] To affect the content of a bill or government policy, the advocate should focus his efforts on selected king-makers and influential representatives as well as on all relevant administration leaders.

Figures 4a,4b reveal the high degree of internal cohesion which seems to exist among advocates as a group. These people seem more sensitive to what other advocates are doing than to any other element of the legislative process. They have good reason for doing so: there is evidence to suggest that the individual or group which can maintain a position in the relative center among all groups competing for the legislature's ear will be among the most successful in achieving his or its objectives.[15] Thus, the moment one group takes a position, all other groups must either follow suit in attempting to depict the initiator as a relative "radical" or they must probably drop out of the race. The effects of actions by any one group or individual may often be rapidly transmitted to other advocates. This is not to say that all advocates agree with each other's position but merely that they seem to be constantly reacting to what other advocates do.

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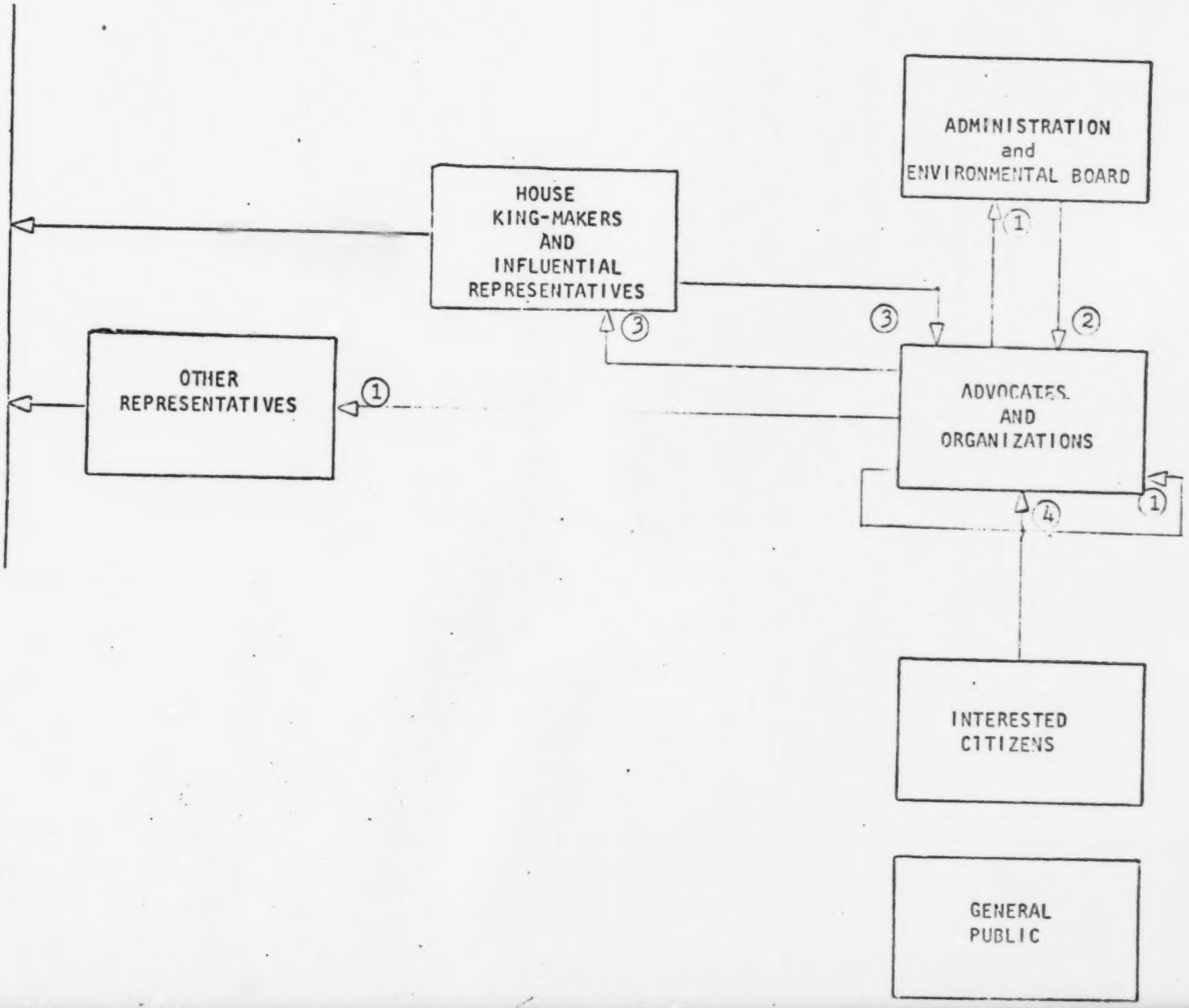
14 c.f. Section IV this report and "Government Attitudes Toward Citizen Communication", EPIC Memorandum, Oct. 1973.

15 c.f. Sections IV and V of this report.

CONTENT

ADOPTED VERSION OF PLAN

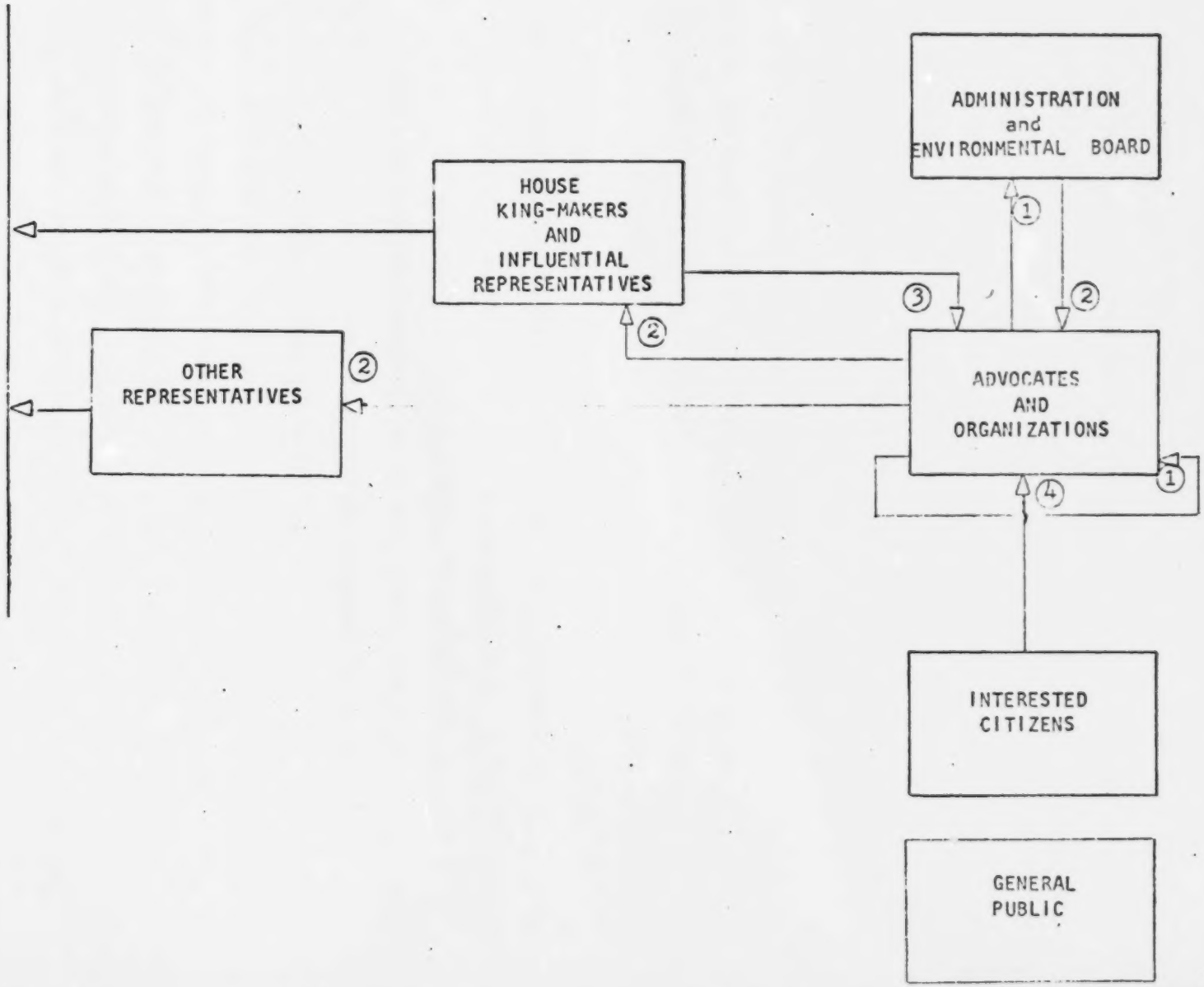
FIG 4a



PASSAGE

FINAL VOTE ON PLAN

FIG 41



Considering now the relationship of advocates to other components of the legislative process, it is interesting to note the very weak line of influence from interested or concerned citizens to advocates. To the extent that concerned citizens are more likely to belong to interest groups, this suggests what was observed during interest group interviews performed in the summer of 1972; namely, that most interest groups are elitist in nature; the membership seems to exercise only a small influence on group leaders. Most groups and organizations seem to derive their force from the personalities of their leaders. Those advocates who are most effective appear to constitute an extra-governmental elite with close personal ties to important governmental leaders. Often the relationship is a function of present or former participation in Vermont government.

Nothing illustrates better the vague boundary between members of the government and members of the extra-governmental elite group of advocates than the strong lines of influence between the administration and advocates in Figures 4a, b. Although the particular personalities will shift from administration to administration, its members are in constant movement in and out of the administration, sometimes on a consulting basis and sometimes formally assuming a position in the government. To illustrate, in the case of the Land Capbility and Development Plan, the influence of the Vermont Natural Resources Council or some of its individual leaders on the plan which is alleged by administration spokesmen is overwhelming. Among advocates, Jonathan Brownell, present Chairman of the Vermont Natural Resources Council, and the Council itself were both mentioned by a majority of the administration interviewees as having had significant influence on the content of the plan. No other groups' or individuals' names were mentioned even once in this context. Correspondingly, approximately half of the administration figures mentioned by other

interest group spokesmen were either leaders of the VNRC or members of the Steering Committee of its research project, EPIC.

Given the previously noted influence of the administration on the content of the plan and given the close ties between the administration and some advocates, it is not surprising to see the strong lines of influence between advocates and other representatives. As might be expected, the greater independence of House king-makers and influentials from the administration also implies the existence of weaker lines from advocates to legislative leaders. It should be pointed out, however, that the crude nature of the aggregate statistics may conceal the powerful influence of some advocates on legislative leaders. To illustrate again, the importance of Jonathan Brownell, who was given the job of drafting the plan in bill form by the Chairman of the House Natural Resources Committee, is probably underestimated. Although this type of special relationship is often missed in statistical compilations such as those employed here, it remains a powerful tool for effective advocates.

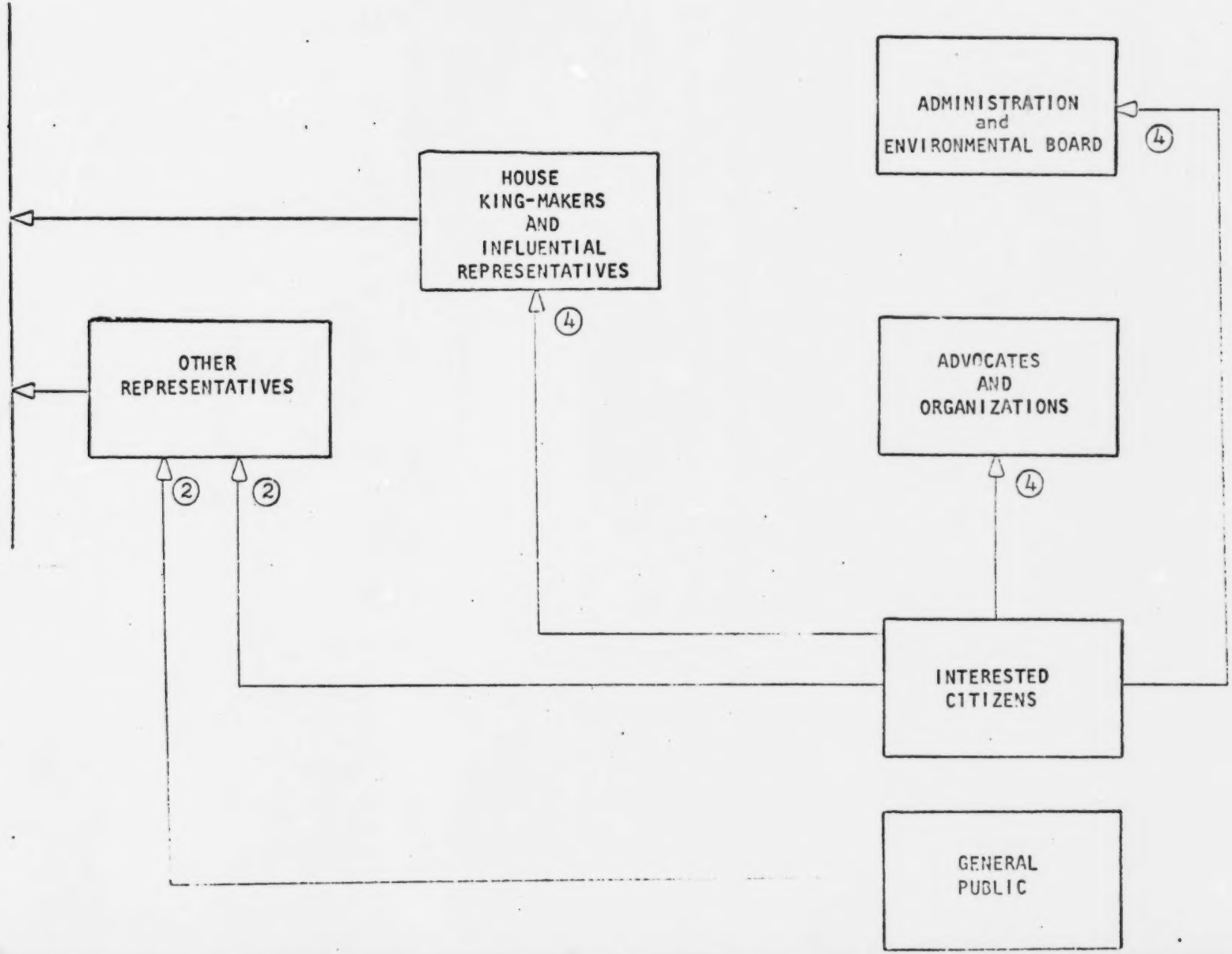
To summarize these remarks concerning influences by and on advocates, it appears that the advocate functions as an informal adjunct of the administration. Like the administration, his perceived influence seems to have been greater on the content than on the passage of the Capability and Development Plan. Public policy advocates as a group generally seem insulated. While they appear to be extremely sensitive to each other's activities, they do not seem greatly influenced by the views of interested or concerned citizens and the general public.

Although the report is not primarily concerned with citizen influence on the content and passage of the Plan, a few comments on the relative weight of citizen versus interest group influence are appropriate. Figures 5a, 5b map the corresponding lines of influence for interested citizens and the general public. One immediately notices the relatively weak influence which both interested citizens and the general public are believed to

CONTENT

ADOPTED VERSION OF PLAN

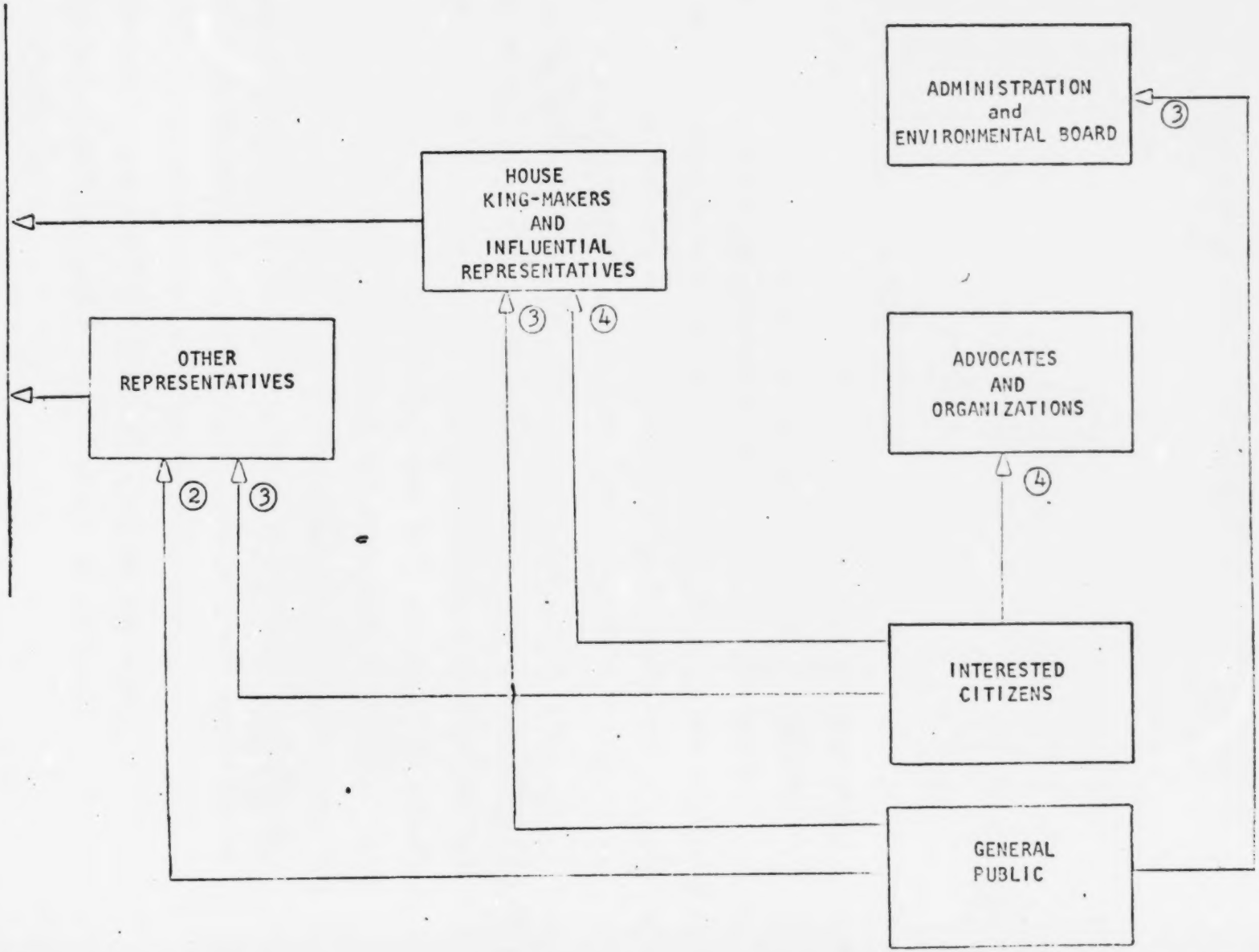
FIG 5a



PASSAGE

FINAL VOTE ON PLAN

FIG 5b



have by House king-makers and influential representatives, by administration spokesmen, and by advocates. In other words, among the governmental and non-governmental elites it seems to be the case that, other than setting a general climate of approval for or disapproval of a bill, the public, be it concerned or unconcerned, has relatively little influence either on content or approval of public policy. Only among other representatives are either the general public or interested citizens perceived to have any influence. On the other hand, other representatives themselves were universally thought to have a negligible influence on the content and passage of Vermont's Capability and Development Plan.

## IV. A Model Strategy for Influencing Public Policy

In the previous section an answer was given to the question "whom should one attempt to influence?" In this section theoretical answers are given to the question, "how should an effective advocacy campaign operate?" Once again the reader is cautioned that the conclusions drawn in this section are prescriptive. No assertion is made here that any individual advocate or interest group did act in the manner proposed.

### A. The Timing Decision

On all save the most narrow, specialized policy, a problem faced by legislators, administrators, and advocates alike is that of determining when an issue is a live one. That is, the government decision-maker or the advocate must decide whether a given issue is of sufficient importance to a significant number of people in and out of government so that a campaign to influence public policy will have some chance of success.

The question is not one of whether an issue is live or dead but one of determining on which component(s) of public policy an issue exists. These components correspond to the four-stage cycle of government decision-making described earlier, namely: problem detection and definition;

determining objectives which constitute a solution to the problem; determining the specific legislative or administrative policy which will be written in the form of bills, regulations, or executive orders to achieve the desired objectives; and controlling the implementation of policy once it has been approved. Campaigns which are directed at the wrong stage of the cycle risk wasting their energy; at worst, they may alienate allies who might support an advocate's efforts when an issue has advanced further in the public consciousness.

Thus, the first task faced by an advocate is that of determining at which stage along the cycle there exists consensus or dissent among legislators, administration officials, other advocates, and the general public. Then given the further insight suggested by interviews with legislators that advocacy may be disliked by decision-makers if they have already taken a stand on an issue and if the advocates' position disagrees with the decision-makers', it is now possible to describe the timing decision.[16] Its solution requires that all the advocate's proposals address issues at that stage of the policy cycle where dissent exists among the targets of an advocacy campaign. Thus, for example, if consensus exists among legislators that a certain problem faces the state, then the advocate is free to propose goals and policies following from these, which will provide a solution to the recognized problem. He is probably not free to propose a new definition of the problem, or to propose that the problem does not really exist.

B. The Content Decision

Within the context of the timing decision, once the advocate has correctly assessed the issue's position in the decision making cycle, the actual form a policy takes and its chance of approval are still subject to great variation, depending on the activities of the principal groups seeking to exert their influence. To be successful, the advocate must be able to provide technical and

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[16] c.f. Noad, C.E.A., "Government Attitudes Toward Citizen Communication", EPIC, Montpelier, Oct. 1973.

political services required by sympathetic policy makers; in turn, the policy maker must provide the advocate with access to other key individuals in government, with information on the proper timing of proposals, and with advice on necessary compromises which must be made to assure approval of acceptable, if not ideal, legislation or policy.

In order to determine what services the advocate could provide the policy maker, let us assume for a moment that the policy maker has decided to support a proposal. The policy maker obviously needs to build the strongest possible arguments for his position. This process has three stages paralleling the first three stages of the decision-making cycle.

First, he must determine precisely what is at issue. In many cases the issue may arise out of defects in the implementation and unanticipated effects of previously adopted policies. At this stage the policy maker must obtain expert opinion on the nature of and public recognition of a problem. In addition, the policy maker, just as much as the advocate, must find those points along the decision-making cycle at which there exists consensus and dissent among the following bodies: legislative leaders, the legislature as a whole, the administration, interest groups, concerned citizens, and the general public throughout the state. The advocate's knowledge of his timing decision should enable him to aid the policy maker in making his timing decision.

Second, if a consensus does not exist as to the desired objectives served by a policy, the policy maker must receive expert opinion on these objectives. In particular, he must receive from the advocate a precise statement of his needs and desires.

Third, the policy maker must be able to propose technically feasible and legally precise policies to attain the objectives. Included must be estimates of the resources necessary to implement these policies as well as estimates of the affects which the policy will have on different groups and individuals

throughout the state. Given the limited intellectual and technical resources and the limited time available to many policy makers, especially legislators, the extent to which an advocate can provide policy proposals and estimates of their affects will greatly determine his influence on a public policy.

In addition to the three steps described above, it must not be forgotten that the policy maker is also an advocate of any proposal he decides to support. Thus, he too must be able to defend the internal consistancy of his policy making process. That is, he must be able to explain why the policies he is supporting will achieve the desired objectives, and he must be able to explain why these objectives are necessary ideals for the state and its citizens. From his own experience as an advocate, an advocate should be able to provide the policy maker with assistance in developing a rationale for a policy.

In these paragraphs we have briefly discussed the functional components of policy making, it is now possible to describe the content decision faced by the public policy advocate. He, the advocate, must provide the policy maker with the information he, the policy maker, needs to make the timing and content decisions. These decisions have four functional components: namely, determination and definition of an issue and its position along the decision making cycle, formulating objectives to solve a problem if they are at issue, formulating a policy to achieve the objectives, and providing a rationale for a proposed policy or objective.[17]

Information required by the policy maker falls into five general classes:

- technical and legal information specifying the nature of a problem, objective, or policy;
- Individual and group attitudes and values relating to a problem, objective, or policy;

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[17] Empirically, Holtzman (op cit, chapt. 4) formulates a set of functional requirements for effective lobbying which is similar to those formally derived from the communication and decision-making paradigms.

- technical and personal information bearing on the effects which a problem, objective, or policy has on an individual or group;
- technical and personal reasons which justify an individual's or group's position on a problem, objective, or policy;
- information which enables the government decision maker, the interest group leader, or the private citizen to estimate the degree of consensus among all groups, all citizens, and relevant decision-makers on a problem, objective, or policy.

Before ending this discussion of the content decision two pragmatic rules concerning the style of advocacy deserve consideration.

First, the advocate must be absolutely honest in all his dealings with the policy maker. He must be able to provide accurate unbiased information and well-reasoned arguments and proposals in support of his position. Threats, bribing, factual distortions, emotional arguments, and radical proposals which brook no compromise seem to carry little weight with influential policy makers and legislators.[18]

Second, it seems to be the case that the advocate whose proposals assume the relative center of the spectrum of possibilities is most likely to see his ideas carry the day. It is often useful to be able to depict opposing positions as radical or reactionary foils against which one's own proposals can be seen as the moderate compromise. On occasion, by slight changes in wording, it is even possible to employ one's earlier proposals as a foil to a current position.

C. The Media Decision

The media decision concerns the process by which information should be transmitted and translated from the advocate to the policy maker. The translation or "coding" problem is not serious for the advocate since it was assumed, when modeling the content decision that the advocate has the resources to formulate precise policies for the policy maker. However, the transmission or "channel" problem is a critical component of effective advocacy.

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[18] c.f. Holtzman, op cit.

The channel problem itself has two aspects concerning how and who should transmit information to the policy maker.

Direct personal visits, personal letters and telephone calls seem to be the most effective means for transmitting information to policy makers.[19] But, in making contact with the policy maker, the advocate must not be seen as part of an organized effort attempting to manipulate and pressure legislators and public officials. Thus, on occasion it may be very useful for the advocate to disassociate himself from any formal organization. One artful technique might be to use a formal organization solely as a tax-exampt, tax deductible research organization, thus making it inconceivable in the mind of the policy maker that the advocate is speaking other than for himself as a knowledgeable expert.

The question of who should transmit information to the policy maker is subtle. While not every state has its "ring" or "courthouse gang" characteristic of the South, it is probably true that most have some informal equivalent. By some authors this body of individuals is often referred to as a "power elite"; however, the term "policy elite" provides a better description and will be employed in the following discussion. It is self-evident that the advocate who can become a member of the "policy elite" will greatly enhance the effectiveness of his advocacy.

But the process of becoming a member is long and seems to involve the gradual accumulation of legal and technical expertise and political trust over a series of issues supported by an advocate. Familiarity and association with other advocates and political leaders who may one day assume official positions is essential. In the minds of current or future policy makers the advocate should become "one of us", a familiar figure who can be trusted and who is aware of the policy maker's needs as well as his own.

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[19] c.f. Holtzman, op cit., and Noad, op cit. "Government".

Members of the policy elite are in constant movement in and out of government, sometimes formally occupying an official position, sometimes serving as a consultant. Many have both official and private occupations whose common boundaries only exist on paper. Perhaps the best way to describe the relationship between different members of the elite is to say that they are the present and former associates whom one naturally "thinks of first" when one needs information on a problem. Such associations are common to many professions. For instance, in performing scientific research, one naturally asks individuals he has personally worked with for information before undertaking a literature search on a problem. Political life has its equivalent, and the effective advocate should seek to be part of this group. As with the choice of close associates in any field, the difficult problem is to spot those individuals early in their careers who seem likely to work into positions of power and respect later on.

But above all the process takes time. It is crucial for the advocate to always be on the scene long after the ephemeral single-issue amateurs have departed. Slowly one may become the thread binding one issue to the next and providing continuity between ideas conceived in one administration and implemented in another. It is, of course, obvious that most policy elites are not monolithic. While there is considerable overlap, the personalities vary from one area of public policy to another.

If the advocate is lucky and succeeds in becoming a member of the policy elite, the media decision may be moot since he may assume an official position himself. Alternatively, many trusted advocates are often called upon by political leaders to propose names of people for important public positions related to advocates' concerns. Influence over public appointments can be an effective tool for gaining indirect control over public policy.

This concludes our discussion of the media decision and with it the development of the model strategy for effective advocacy.

To summarize, the best way to describe the model strategy is to say that, within the context of the timing decision, the advocate who has the legal and technical expertise to formulate policy proposals which express the general public opinion on an issue will have the greatest influence on public policy. To establish his credentials as an expert the advocate must work over a series of issues to attain membership in the informal policy elite surrounding state government policy makers. We move now to compare the model strategy with the individual and group influences on Vermont's Land Capability and Development Plan.

## V. Individual and Group Influences on Act 250 Planning, June 1971 - April 1973

Here it will be shown that one group, the EPIC Steering Committee, fulfilled a majority of the functional and tactical requirements of the abstract model strategy. Thus, only the EPIC Steering Committee constitutes an interest group under the third or objective functional definition of an interest group described at the beginning of this report.[20] Other organizations, notably Common Sense Associates (prior to November 1972), the Landowners' Steering Committee, and the Vermont Natural Resources Council -- while they may have been groups in a structural or subjective functional sense, were not interest groups in terms of the objective functional definition employed in this section.

In the following discussion the reader is reminded that the objective functional definition of a group in no way implies that the members of the group consciously set out with a predetermined and mutually agreeable plan to influence Act 250 planning. Neither does the definition imply that all members of the group were involved in every phase of the strategy. It is only required that

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[20] Although administrators, legislators and advocates including members of the EPIC Steering Committee often do not distinguish between the VNRC, EPIC, and the EPIC Steering Committee when discussing influences on the Land Capability and Development Plan, it is the group of individuals comprising the EPIC Steering Committee rather than the formal organization of the VNRC who fulfill the objective functional definition of an interest group.

an element of the strategy be performed by at least one member of the group and that the totality of all activities performed by individual members of the group include substantially all the elements of the model strategy.[21]

A. Individuals, Groups, and Their Influence:
The EPIC Steering Committee,
Common Sense Associates, and
The Landowners' Steering Committee

To begin, what is the EPIC Steering Committee? To answer that question we must first describe briefly the Vermont Natural Resources Council (VNRC) which sponsors EPIC.

The Vermont affiliate of the National Wildlife Federation, the Council was formed in 1963 as "a private, non-profit association of conservation-minded individuals and organizations working to preserve and improve the quality of Vermont's environment.[22] The Council has approximately 1500 dues paying individual members as well as approximately one hundred corporate members. In addition to activities such as surveying significant land forms, aquatic resources, flora, and fauna relating to the Vermont Natural Areas inventory, and the promotion of local conservation commissions in cooperation with the League of Cities and Towns and the Vermont Extension Service, the Council also sponsors the Environmental Planning Information Center (EPIC).

Incorporated in 1971, EPIC has been the recipient of two substantial grants, one from the Ford Foundation and the other from the National Science Foundation. Their purpose has been to develop, test, and analyze techniques for improving

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[21] Strictly speaking, under any functional definition of an interest group the members of a group are specific events or actions ard combinations thereof, not the physical individuals who perform the actions. However, since most readers are not familiar with the concept of an interest group as a set of actions abstracted from the advocate actors who perform them, and since the influence of specific actions on policy makers is partly dependent on the personality and credentials of the advocate which constitute a reification of past attempts by the advocate to influence public policy, the group and its physical advocate actors will not be distinguished in this discussion.

Thus, from a purely formal point of view, the discussion in this section is merely a comparison of a given set of actual events with a hypothesized set of events which it was believed would characterize influences on public policy. The physical actors who ought to or did perform these events enter only incidentally as properties or qualities characterizing the events.

[22] VNRC Brochure, May 1973.

citizen participation in land use planning and management. Under the Ford grant, EPIC embarked on a feed-forward program of information for citizens on land use problems and on the Act 250 plans. For example, "So Goes Vermont", a slide show presentation on land sales in Vermont, and the Vermont Environmental Report, a monthly newsletter on environmental and land use problems, were both produced under the aegis of the Ford grant. In addition, this component of EPIC was responsible for extensive advertising for the public hearings on the Act 250 plans; and it commissioned the 1971 survey of Vermonters' attitudes on environmental issues performed by the Becker Research Corporation of Boston.[23] "So Goes Vermont" was aired on commercial television and was given extensive private showings to citizens, civic groups and schools; the Vermont Environmental Report was distributed to VNRC members, all legislators, the Environmental Board, selectmen (through the League of Cities and Towns), and to Regional Planning Commissions throughout the state. The 1971 "Becker Poll" was given a formal presentation to Governor Davis and was distributed to legislators; a slide presentation was made to the public by the director of EPIC at the seven informal District Environmental Task Force meetings held throughout the state during the early summer of 1972.

In addition to formal EPIC feed-forward activities performed under the Ford grant, informally on his own initiative, the former director of EPIC, Arthur Ristau, helped prepare copy for the State Planning Office's December, 1972 statewide mailing of its drafts of the Section 19 and Section 20 plans. The state was also permitted to use the VNRC's non-profit mailing frank in order to reduce the costs of the mailing to the state. The Council was reimbursed by the state for the postage expenses which it incurred.

In contrast to Ford sponsored projects, EPIC's NSF grant emphasized the implementation of techniques for providing citizen feedback to the administration

23 "Vermont Residents' Attitudes Toward Environmental Pollution and Environmental Legislation"; a report on research conducted for the Vermont Natural Resources Council by the Becker Research Corp., Boston, November 1971.

and legislature, as well as the analysis of citizen participation in the governmental decision-making on the Act 250 plans. Of all EPIC-NSF projects, the monthly public opinion polls performed by Cambridge Survey Research and the surveys conducted at public hearings may have had the greatest direct impact on the Act 250 plans.[24] Results of these surveys and polls were presented formally to the Environmental Board, were distributed to all legislators, and received widespread coverage in Vermont's news media.

But, as one veteran legislator indicated to an EPIC interviewer last summer, it's not what but who that counts. Who is the EPIC Steering Committee? While all but one member of the Steering Committee is also an officer of the Vermont Natural Resources Council, it is their positions as members of the Steering Committee, not as officers of the Council, that is relevant to Committee's activities as an interest group. The EPIC Steering Committee has primary responsibility for general supervision of the operation of EPIC projects. At one time or another all have held positions in Vermont state government and most are important members of their respective political parties. They are:

- Jonathan N. Brownell: attorney, Republican, former Deputy Attorney General, a principal author of Act 250 in 1970, representative for Governor Davis on the informal joint Governors' study group to revise the draft Act 250 plans,[25] special legislative counsel to the House Natural Resources Committee responsible for drafting the Capability and Development Plan in bill form, environmental supporter of Republican gubernatorial candidate Luther Hackett, Chairman of the Vermont Natural Resources Council, and member of the EPIC Steering Committee.

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[24] c.f. for example, "Vermonters on the Plans, Highlights of Surveys of Public Opinion on the Draft Act 250 Plans", EPIC, December 22, 1972.

[25] The Joint Governors' Study Committee was an informal group consisting of two representatives each for Governor Davis and Governor-elect Salmon. This group was responsible for major revisions in the Capability and Development Plan prior to its approval by Governor Davis in January 1973.

- William S. Cowles: architect, apple farmer, Republican, former Chairman of the Vermont Environmental Board, former Secretary of the Agency of Human Services under former Governor Davis, former member of the Governor's Cabinet, author of the Emergency Health Board Regulations (Dec. 1972) governing land subdivisions, representative for Governor Davis on the informal joint Governors' study group to revise the draft Act 250 plans, Chairman of the Lake Champlain Committee, member of the Board of Directors of the VNRC, member of the EPIC Steering Committee.
- Margaret P. (Mrs. Newton C.) Garland: Republican, member Vermont Environmental Board, President of the Vermont League of Women Voters, former Chairman VNRC, current member of the Board of Directors VNRC, Chairman of the EPIC Steering Committee.
- Arthur Ristau: journalist, Democrat, Director of State Planning under Governor Salmon, currently responsible for drafting the Section 20 (Land Use) Plan for submission to the legislature in 1974, special assistant to former Governor Philip Hoff, representative for Governor Salmon on the informal joint Governors' study committee to revise the draft Act 250 plans, campaign advisor to Democratic gubernatorial candidate Thomas Salmon, former Director of EPIC, currently an informal member of the EPIC Steering Committee.
- Leonard U. Wilson, planner, Democrat, former Director of State Planning under Governor Philip Hoff, formerly Consultant for Environmental Program Development at the University of Vermont, campaign advisor to Democratic gubernatorial candidate Thomas Salmon, representative for Governor Salmon on the informal joint Governors' study committee to revise the draft Act 250 plans, member of the Board of Directors of VNRC, member EPIC Steering Committee, former Chairman of the Vermont State Democratic Party.

While the Steering Committee was organizationally responsible for the research and public information projects performed by EPIC, members of the Committee acting as individuals or as public officials also exerted considerable influence on the process of decision making which led finally to the adoption of the Land Capability and Development Plan by the legislature.

First, individual members of the Steering Committee are known to have been influential in pursuading former Governor Davis to appoint Environmental Board Chairman, Benjamin Partridge, to be Director of State Planning in October 1971. Although the dual appointment was justified by Steering Committee members as providing better coordination between the planning office which had technical responsibility for drafting the Land Capability and Development Plan and the Environmental Board which had formal authority for its adoption, it seems unlikely that Committee members would have sponsored Partridge's appointment had they foreseen any fundamental antipathy between their views and those held by Mr. Partridge.

While it is probably true that, by the fall of 1972, some members of the Steering Committee were dissatisfied with Partridge's performance, and while it is true that men who are appointed to a post do not always behave as expected, in general, it is also true that influencing the appointment of a sympathetic person to a position is a powerful tool for exerting indirect influence over public policy. In retrospect, the author of this report believes that the draft plans prepared under Partridge's direction are similar to what should have been expected, given the former Director's general outlook on planning and Act 250 planning, specifically.[26] Thus, it is still fair to say that, in

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[26] The draft Land Capability and Development Plan published by the Environmental Board in December consisted of a set of policy statements, some general and others broadly written, covering a variety of topics related to land use and development. It did not contain specific rules and regulations which would be applied to the consideration of any given permit application. That the plans would assume this form was known at least as early as June 20, 1972. In a memorandum of that date to the Environmental Board Partridge said, "It appears at this time that the mechanics of the Sec. 19 and 20 plans can best be solved by stating simple but clearly defined parameters in the plans themselves, and -- having the Board adopt rules under its existing authority (10VSA 6025) to implement (in detail) these plans." Parentheses are contained in original memorandum.

influencing the appointment of the planning director, the members of the EPIC Steering Committee exerted substantial indirect influence over the draft plans even if the plans were not all the Committee members originally expected.

From Partridge's appointment as Director of State Planning in October 1971 to the release of the draft Sec. 19 and Sec. 20 plans in November 1972, excepting Mrs. Garland's official activities as an Environmental Board member, members of the EPIC Steering Committee did not exert any direct influence on the Land Capability and Development Plan. Indeed, during this period the actual drafting of the plans was long delayed and it would have been impossible to exert any direct influence. Even after the actual drafting was begun in the late summer, Director Partridge had very little contact with anyone outside his own office.[27] During this period, however, the Steering Committee was active in the operation of EPIC projects described previously and at least three individual members of the Committee were actively involved in the gubernatorial campaigns of candidates Hackett and Salmon.

With the public and private release of the Environmental Board's draft plans, all members of the EPIC Steering Committee excepting Mrs. Garland played a major role in making revisions on the Land Capability and Development Plan prior to its submission by Governor Davis to the legislature on January 3, 1973.[28] The informal joint Governors' Study Committee to revise the Act 250 plans comprised Brownell and Cowles as Davis representatives and Wilson and Ristau as representatives for Salmon. It was formed because both Governor Davis and Governor-elect Salmon found the draft document wholly unacceptable to their conceptions of what the plan ought to be.

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[27] EPIC interviews during the late fall with members of the Davis administration indicate some dissatisfaction with the cloistered atmosphere in which the draft plans were produced.

[28] Members of the Steering Committee agreed among themselves not to discuss their views of the plan during this period with Mrs. Garland lest they compromise her position on the Environmental Board. Of course Mrs. Garland was still active as an Environmental Board member, but in view of the Governors' dissatisfaction with the Board's draft, the initiative during the revision process seems to have been held by the Joint Governor's Committee.

In December, as a result of the revisions, three changes occurred in Act 250 planning and in the plans themselves.

- The drafting of the Land Use Plan (Sec. 20) was postponed at least a year until after the Land Capability and Development Plan had been approved by the legislature.

- The Land Capability and Development Plan, which in its drafts contained only guideline policies, was changed to include binding permit criteria corresponding to many of the previous enunciated policies.

- The language of the draft Land Capability and Development Plan was consolidated. Thus, while many of the policies in the draft plans are also found in the version submitted by Governor Davis to the legislature, they were regrouped under three broad sectors concerned with the quality of development and growth in Vermont, resources use and conservation, and government and public utilities.

While it is impossible to ascribe any particular decision to one individual, it is known that, in consultation with the Governor and Governor-elect, as well as with members of the Environmental Board, the Joint Governors' Study Committee played a major role on the second and third changes. The formal decision to postpone the drafting of Section 20 appears to have been made by the Environmental Board.

During the legislative session the principal influence of the EPIC Steering Committee on the Land Capability and Development Plan came from the individual activities of two of its members, Jonathan Brownell and Arthur Ristau. As a special legislative consultant to the House Natural Resources Committee, Brownell had responsibility for redrafting the Capability and Development Plan from the resolution form in which it had been submitted by former Governor

Davis, to the bill form which was finally adopted. The changes which he made were not merely technical but in some cases implied significant alterations in the content of policies and permit criteria that had been adopted by the Environmental Board. For example, strictures on the conversion of primary agricultural lands to other uses were significantly relaxed as a result of Brownell's redrafting.[29] As Director of State Planning, Arthur Ristau was assigned by Governor Salmon to orchestrate the presentation of evidence to legislative committees. In this capacity he was responsible for lining up witnesses to testify about the plan in answer to legislative requests. Although Ristau only met informally with the Speaker of the House to express the Governor's interest in the plan and was assured by the Speaker that the plan would be expedited, he was apparently influential in the decision to have Brownell and Schuyler Jackson, Chairman of the Environmental Board, serve as spokesmen for the plan and the administration's "ears" in the legislature.

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29 During an EPIC interview one advocate described the basis for Brownell's changes in this section as follows: He (Brownell) "had a legal basis; one would have to defend the case, unsuccessfully, that denial of development did not take so many property rights as to require compensation." --- Second, He "wanted the plan to say exactly what it was doing which is to protect certain soils from development and to require the clustering of development on a 200 acre farm on soils that weren't prime agricultural soils." --- He "thought there was such a strong reaction because the Environmental Board knew they had meant something else even though they had said primary agricultural lands -- they (the Board) had really meant we want to keep farms" -- He (Brownell) "took what they said and defined it specifically and it uncovered an issue. And they (the Board) were cross about it..." "They wanted the concept in the Capability Plan" and He (Brownell) "did not think it appropriate. This was after the legal question was decided. The change in philosophy was that the Land Capability and Development Plan should not deny development entirely anywhere."

Common Sense Associates and the Landowners' Steering Committee were very different in character from the EPIC Steering Committee. Both were ad hoc groups, representing business and real estate interests, formed solely to influence the implementation of environmental regulations and the Act 250 plans.

Common Sense Associates was formed around January 1972 as an association of approximately nineteen prominent Vermont businessmen. Their principal concern was with what its members believed to be a rigid enforcement of Vermont's environmental laws which they believed stifling to the state's economy. Apparently many members had experienced some difficulties related to compliance by their businesses with various pollution regulations and with Act 250 permit requirements. The consensus of the group seems to have been that "environmentalists" had the predominant input to environmental legislation and planning; thus, it was important for businessmen to organize to counteract this influence. The stated goal was to achieve a better "balance" between environmental and economic needs in the Act 250 plans which were being drafted. While not advocating the repeal of Act 250, they desired that the state plans should consist solely of loosely framed development guidelines which would not have the force of law. The group was also concerned that the permit processes for development requiring compliance with different environmental laws being administered by one agency: this administrative objective was called "one-stop shopping."

During the first five months of 1972, CSA's principal activities appear to have consisted only of advocacy by individual members and by the association's paid advocate, Lawrence Wright, for the defeat of a floodplain zoning bill and of a meeting with Governor Davis to protest a proposed section of the "Interim Land Capability Plan" which would have limited development to areas already under development.

The situation changed abruptly in June of 1972 when CSA's existence was discovered by Rutland Herald Reporter Howard Coffin, who published a series of lengthy articles on the group.[30] The resulting unfavorable publicity forced CSA to defend itself publicly in the form of a newspaper advertisement stating its general position and inviting likeminded Vermonters to join the group.[31] Throughout the remainder of the summer and early fall the principal public activities by the group consisted of speeches by individual "associates" and advocate Wright calling for a greater balance between environmental and economic needs in environmental planning and calling for "one-stop shopping." One speech in particular, by President Roland Q. Seward drew sharp criticism from environmental groups and the Vermont press. In it Seward asked "what are we saving the environment for -- the animals?"[32] In addition to public speeches, individual members of CSA were said to provide substantial monetary and political support for Republican gubernatorial candidate Luther Hackett in his successful primary campaign against republican James Jeffords and then in his unsuccessful election campaign against democrat Thomas Salmon. Although one member of Common Sense Associates, Robert Wilson, supported Salmon, Hackett seems to have been tagged in the public's mind as the candidate of business interests and CSA in particular. This image was probably a partial cause of his

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[30] Rutland Herald, May 27, June 20-23, 1972.

[31] c.f. for example, Barre-Montpelier Times Argus, July 14, 1972, p. 5.

[32] Rutland Herald, September 20, 1972.

defeat in the November election. With the perceived repudiation of Common Sense Associates at the polls, the organization has dropped from public view; so far as is known, it no longer exists even informally. It made no attempt to influence the Land Capability and Development Plan during the 1973 legislative session. However, had Hackett been elected it is probable that members of the group would have been influential in his administration and in the legislature.

Like the members of the EPIC Steering Committee, many of CSA's more active associates have been prominent individuals on the Vermont political scene both in and out of state government. They are:

- Roland Q. Seward, President of C.S.A., restaurant and dairy owner, Republican National Committeeman;
- Robert Garsice, Vice President of CSA, President of Vermont Petroleum, Inc.;
- William M. Lockwood, Treasurer of CSA, Chairman of the Board of the Howard National Bank and Trust Co.;
- Robert Wilson, Democrat, Secretary of C.S.A., former State Development Commissioner, currently Administration Secretary under Governor Salmon;
- Lawrence A. Wright, legal council and paid advocate for CSA, former Tax Commissioner under Governor Davis;
- Elbert G. Moulton, former Secretary for Development and Community Affairs under Governor Davis, former Republican State Chairman, currently Vice President, Quechee Lakes Development Corp.;
- Preston L. Smith, former member of the Vermont Environmental Board, President, Sherburne Corporation;
- Keith Wallace, dairy farmer, President of the Vermont Farm Bureau.

The (Northeast Kingdom) Landowners' Steering Committee was formed in December 1972 as a reaction to Emergency Health Board Regulations governing subdivisions of less than 10 acres (not covered by Act 250). These were promulgated by Human Services Secretary William Cowles in late November. The Committee's concern quickly broadened to include defeat of the Act 250 plans, drafts of which had just been published and on which the Environmental Board's public hearings were simultaneously being held throughout the state. The Steering Committee effectively consisted of two men: Gerald Farrington, a real estate broker in Lyndonville, and its unpaid advocate John McClaughry, a former legislator from Kirby. While one or two other legislators attended Committee meetings, they were never known to be formally affiliated with the group. As its name indicates, most public support for the Committee came from the extreme northeastern section of Vermont.

After holding organizational meetings in the northeast, and to a lesser extent, in other areas around the state, the Committee's first act was to encourage individuals to attend the December Board hearings. Also begun was a protest over the Emergency Health Regulations. This protest consisted of a campaign to get landonwers to post their land. Since a similar posting campaign a few years earlier had forced legislative reconsideration of deer hunting regulations, some people in the government may have been anxious when reports of the posting of large tracts of formerly open land were circulated. It was claimed that 30,000 acres were posted. With the rise of opposition on the part of snowmobilers the posting campaign gradually died out.

Letters and petitions were also given to town selectmen urging them to pass resolutions disapproving the Act 250 plans. Selectmen in the town of Norwich did so and were forced by public outcry to rescind their motion.

During the legislative session, the Committee's most prominent activity was a statewide campaign of radio advertising urging Vermonters to bring pressure on their legislators and soliciting contributions. They claim to have received 500 donations in response to the ads. For a short time the Committee also published a newspaper called the Vermont Watchman. In addition, Farrington and McClaughry testified before legislative committees and met with individual legislators to advocate their position. It is not unfair to characterize the Committee as an environmental analogue of the "John Birch Society" without the implications of secrecy associated with that Society. LSC's advertisements and statements tended to suggest that a subversive element was backing the Capability and Development Plan. This suggestion undercut their position and EPIC interviews with many legislators revealed that they were repelled by such tactics. By the time of passage of the Plan by the House, the Committee had lost whatever political credibility it originally possessed. Excepting those wavering legislators who may have been led to support the Plan out of antipathy to the Committee's tactics, it was probably not a significant factor influencing the final vote in the House.

In the paragraphs above we have briefly described the activities of the three principal private interest groups seeking to influence Act 250 planning during the period June 1971 - April 1973. We have seen that two of these groups, Common Sense Associates and the Landowners' Steering Committee, failed in their efforts while one group, the EPIC Steering Committee, exercised considerable influence on the Capability and Development Plan. It is important to examine why each group succeeded or failed. In the paragraphs below we shall examine each group's performance along the various dimensions of the model strategy developed in Section IV.

B. The Timing Decision

Consider the problem of determining where consensus of governmental and public opinion exists in the four-stage cycle of governmental decision making. By the autumn of 1972 it had become apparent that the Vermont public recognized "the environment" as one of the two major problems facing the state.[33] For many people "the environment" signified the destruction of Vermont's land by out-of-state land speculators. The issue here joins the concern for land preservation with the conservative fear of outsiders invading the state and changing Vermont's traditional ways. While the strength of this opinion may have been recognized only by a few poll-takers prior to the general election, even unsympathetic legislators from both political parties were forced to recognize the issue when democrat Thomas Salmon defeated republican luther Hackett. Salmon's campaign coupled the land-speculation issue with concern over property taxes when he proposed a program of tax relief to be funded through a graduated capital gains tax on real estate profits which people believed were being reaped by large out-of-state development corporations. Hackett's association with business-men, and particularly with outspoken Common Sense Associate Roland Seward, embodied the very problems which were of greatest concern to Vermonters at that time. The general public was not only united in its recognition of the problem of land speculation and development but, furthermore, by December there seems to have been substantial agreement on the goals of land use policy, namely, that farm and forest land should only be converted to industrial or residential uses under exceptional circumstances.[34] While the

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33 "Environmental Problems" ranging from pollution to land development and the influx of out-of-staters comprised 35% of the problems mentioned...'Taxes' ranked second with 26%, while the economy, inflation, employment, and electric power ranked third with 13%." c.f. Vermont Poll Vol II #2, EPIC, November 27, 1972, poll conducted October 30.

34 For example, a statewide telephone poll revealed that 75% of Vermonters believed either that commercial and industrial development should never be allowed on farmland or that it should only be permitted when the benefits of development would be much greater than the overall value of continued farming. c.f. Vermont Poll, VOL III #1, EPIC, December 20, 1972.

precise strength of this opinion was probably not known by most legislators, no sensitive observer could fail to discern a strong public sentiment in favor of preserving farm and forest land. On the other hand, the public was somewhat more divided on their approval of the proposed Act 250 plans as a means for preserving open land.[35]

To summarize, the Vermont public was generally agreed on the importance of the problem of land speculation and uncontrolled development and it was agreed on the goal of preserving farm and forest land. Thus, legislative and administrative debate would have to focus on the desirability of the Capability and Development Plan as a policy for achieving this objective. It was probably true that the only viable alternative for a group opposing the Plan would have been to offer a strong counter proposal which would have a better chance of preserving Vermont's land.[36] The efforts of both Common Sense Associates and the Landowners' Steering Committee were probably doomed to failure from the beginning, since they sought a goal which was politically impossible, namely elimination or drastic weakening of the Capability and Development Plan. While Common Sense Associates was defeated at the polls, there is no sign that the Landowners' Steering Committee recognized the lesson of this defeat. The EPIC Steering Committee, on the other hand, was working from the right hypothesis to begin with. Knowing the general public sentiment, its leaders could focus their efforts on designing reasonable compromises over genuine disagreement on the detailed policies to be contained in the Plan.

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[35] 51% of Vermonters reported having seen copies of the draft plans after they were mailed to every family in Vermont. Of these 52% generally approved of the proposals, 28% disapproved and 20% had no opinion. 46% of the group believed the plans were too vague; 39% thought the plans would be an undesirable invasion of property rights, 63% did not. c.f. Vermont Poll VOL III #1, EPIC December 20, 1972.

[36] Another possible alternative would have been to propose a plan which satisfied the strong legislative sentiments for "local control" of land use and development. But this alternative too was probably impractical since many legislators and citizens also recognized, reluctantly, that local governments to date had been unable or unwilling to control undesirable development practices.

But if it is true that, by the time the Land Capability and Development Plan was submitted to the legislature, the Vermont public was ready for some type of plan, it is also true that beginning in early 1972 EPIC promotional activities such as the slide show, "So Goes Vermont" and the Vermont Environmental Report, together with sympathetic reporting by the Vermont Press since the late 1960's, had done much to create a public awareness of serious development problems in the state. Thus, the EPIC Steering Committee itself, was partially responsible for setting the stage for governmental acceptance of desired land use and development policies. Furthermore, beginning with the 1971 Becker Poll, Steering Committee members could, if they chose, demonstrate to favorably disposed administrators and legislators that a strong constituency for land use regulation did exist throughout much of the state.[37] The fact that the regulation would receive its principal embodyment in a statewide development plan, as opposed to, say, land use taxation or some other less comprehensive policy, occurred because the mandate for state plans was included in Act 250 when the law was being drafted in 1969-1970. At that time, few people were aware of the full implications of that decision. Without having included the planning mandate, originally, in what was otherwise a regulatory law, it is likely that a state plan could never have been proposed and adopted during the 1973 legislative session.

C. The Content Decision

Given what now appears as the inevitability of passage of some form of a development plan containing fairly broad controls on land use conversion, the EPIC Steering Committee was probably the only quasi-private group who

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[37] Many legislators only use polls to support their positions; over the whole legislature reaction to EPIC polls was mixed. c.f. "Government Attitudes Toward Citizen Communication", EPIC memorandum Oct. 1973. However, even though polls at present may not be an effective tool for pursuading opponents, they can be of use to proponents in correctly diagnosing an issue.

had the technical and legal resources to formulate specific land use and development policy proposals when and as called upon to do so by legislative and administrative leaders. Certainly the Landowners' Steering Committee did not. Furthermore, if EPIC interviews with legislators are any indication, representatives for the Landowners' Steering Committee were not generally trusted to present their case honestly. While some members of Common Sense Associates might have been capable of proposing a policy which would have vitiated the implementation of land use controls, that group was discredited at the polls in November.

The actual influence of EPIC Steering Committee members on the content of the Land Capability and Development Plan was described earlier in this section.

Common Sense Associates, the Landowners' Steering Committee, and, to a lesser extent, radical enviromental groups such as Vermont Tomorrow were also ideal opponents.[38] At every stage in the planning process, the EPIC Steering Committee had a foil against which it could appear as the "voice of moderation". The fairly widespread legislative resentment observed by EPIC interviewers toward the tactics and tone of anti-plan advocates is best exemplified by the remark of one undecided legislator who ultimately voted for the Plan. When asked by an EPIC interviewer whom he thought had had the most influence on the passage of the Plan in the House he replied, "Maybe the fellows who were knocking it the hardest. They hurt themselves. They talked only of the bad points, not of any of the good points of the bill. 'An evil man's deeds follow him wherever he goes.' "

But in the process of revising the Capability and Development Plan for submission to the Legislature, members of the EPIC Steering Committee could

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[38] In an unusual twist to the "foil tactic" one environmental advocate publicly attacked Jonathan Brownell's version of the section of the Plan dealing with the conversion of agricultural lands, even though he felt he could live with Brownell's proposal. He reportedly did so because he felt some legislators would back it because he (the advocate) was against it.

also use the original draft proposals of the Environmental Board as a foil to later versions. While not radically altering the most important concepts, by simplifying the language, by specifying precisely the binding permit criteria, and by eliminating peripheral material, the revised plan was made to appear much simpler and more comprehensible to most legislators even though their understanding was still limited. It is suggested here that on occasion it may be useful to deliberately write a bill in overly complex language. That this tactic may have been unconsciously employed is illustrated by the comment of one former administration official. When interviewed by EPIC he noted, "Politically I think now (May, 1973) it was better to have had the newsprint version with too many words, so then you can cut down and take some out. It would be politically worse to have the reverse and keep adding more words."[39]

D. The Media Decision

Of course the members of the EPIC Steering Committee were not the only legally and technically qualified individuals who could, theoretically, have provided land use policy proposals but, more important, they were the only such individuals who were also members of the "Montpelier environmental policy elite." In several cases they were not only members of the elite but, by a twist of political fate, had become the policy makers themselves. Outside of the technical staffs of governmental agencies such as the State Planning Office, the Agency of Environmental Conservation, or the Attorney General's Office, Steering Committee members were the individuals to whom legislative and executive political leaders apparently turned naturally when in need of political, legal, and technical advice on land use policy.

This circumstance was obviously not created overnight. It dates to the late 1960's during the last years of the Hoff administration and the first

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[39] The "newsprint version" refers to the draft proposals for the Land Capability and Development Plan and the Land Use Plan which were mailed to every family in Vermont.

years of the Davis administration when the development problems which ultimately gave rise to the passage of Act 250 in 1970 first appeared. These relationships, going back through several successive administrations of both political parties, are illustrated in the resumes of Steering Committee members given earlier in this section. While it is impossible to explain precisely how several members of the Steering Committee achieved their status as pre-eminant members of the environmental policy elite, by December, 1972, they were in a unique position to influence the revision of the Act 250 plans. Thus, it was not surprising to find committee members, except Mrs. Garland, chosen by the Governor and Governor-elect to put the Plan in final shape for submission to the legislature. Furthermore, there was concern then that the revised plan have the support of both outgoing Governor Davis, who had initiated the measure, and incoming Governor Salmon, who would have to implement the plan in the future. There were very few other individuals with sufficient technical qualifications who could also build the desired bridge between the two administrations. It is the author's belief that the working relationships developed through the EPIC Steering Committee's formal activities contributed to the otherwise startling coincidence that virtually the whole Steering Committee also made up the informal Joint Governors' Committee to revise the plans.

In the legislature itself, Brownell, by virtue of his legal expertise and by virtue of his role in originally drafting Act 250 and in revising the draft plans, was probably the only person who had the qualifications to undertake the redrafting of the Plan from a resolution to a bill.[40]

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[40] The role of the Joint Governors' Committee as well as the activities of Brownell and Ristau during the legislative session were described earlier.

By comparison with members of the EPIC Steering Committee, representatives for the Landowners' Steering Committee were newcomers. It is probably true that, even had the political climate been more favorable to their proposals, their advocacy would not have carried the same weight as that of older more respected business and real estate interests representing the same point of view. Many members of Common Sense Associates did, of course, have the necessary qualifications, but, as indicated earlier, the public climate was not ripe for their policies and they had suffered a disastrous political set-back with Salmon's election.

From this discussion of the timing, content, and media decisions, it is evident that the activities of the EPIC Steering Committee, together with the activities of its members acting individually, contained most of the components of the model strategy outlined in Section IV.

The group addressed issues at the stage where public debate on state development planning was still possible, it could demonstrate public support for its objectives, it had the technical expertise to formulate planning proposals when called for, its members had the necessary credentials for acceptance by legislative and administration leaders, and proposals supported by its members were aided by the positions and tactics of its opposition. In addition, members of the EPIC Steering Committee could influence crucial appointments affecting Act 250 planning. On occasion, some members themselves were the only individuals politically and technically capable of assuming a given post. By contrast, Common Sense Associates and the Landowners' Steering Committee did not have the technical ability to formulate alternative plans, they were not trusted by many legislative leaders, and, perhaps most important of all, they were arguing a position, namely the elimination or drastic restriction of statewide land use and development planning, which was not politically viable.[41]

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[41] As a result of its interviews, EPIC estimated that as of Jan. 1973 in the House of Representatives approximately 91 representatives were in favor of the Plan, 13 were opposed and 45 were undecided. c.f."Government Attitudes Toward Citizen Communication", EPIC, Oct. 1973.

In sum, the EPIC Steering Committee, or its members acting individually, was the only major group which met the objective functional definition of an interest group under the model strategy prescribed in Section IV. Common Sense Associates and the Landowners' Steering Committee, although they were perhaps groups in a structural sense, did not meet the functional requirements.

If this description makes the EPIC Steering Committee look like a well-oiled machine advancing inexorably toward its goal with each step consciously plotted in advance, it must be admitted that such was not the case. There were moments of great uncertainty when it seemed as though the chances for passage of the Land Capaility and Development Plan were very slim. In retrospect, it appears to the author that the Steering Committee and its members unconsciously happened to be the "right men in the right place at the right time." Had public attitudes been different than they were, it is quite probable that Steering Committee members would have acted in a similar fashion, but that their influence on statewide development planning would have been diminished.

E. Other Groups

So far we have only discussed the activities of the three principal interest groups campaigning to influence Vermont's Capability and Development Plan. What about other groups? Somewhat surprisingly, many groups, particularly business organizations who might have been expected to play an active role, did not do so. Before ending this section a few brief comments will be offered suggesting why this occurred.

First, in the eyes of many groups, the issues behind Act 250 planning were too complex for them to get involved. Save for making a few suggestions on administrative procedures or save for making vague general statements approving or disapproving the general intent of the plans, many groups apparently did not think themselves technically equipped to

formulate major policy proposals on their own.

Second, several groups did not act either because their membership or because their leaders were not united in favoring or disapproving the Capability and Development Plan. While disunity among membership may not be a severe handicap, when group leaders disagree, it is virtually impossible for advocate agents to act, regardless of how they personally feel. No such limitation was placed on EPIC Steering Committee members who were free to act as their own independent agents on matters not related to EPIC research projects.

Interest group spokesmen also recognize that to be effective they must act only on issues which they have a reasonable chance of winning and that they should not campaign on every issue which comes along. Rather, they should hold their fire for issues which are of direct concern to their group's interests. For several groups the Land Capability and Development Plan was perceived as peripheral to the group's interests. Furthermore, many correctly believed that passage was inevitable. By the end of the legislative session, development control had become something of a motherhood issue. With the Vermont press and public generally united behind the goals of the plan, many business groups apparently decided to lie low.

Fourth and finally, some groups simply felt themselves outgunned by the resources available to the EPIC Steering Committee for support of its position. Thus, they decided not to enter the lists. Typical of many EPIC interviews are the remarks of one business advocate who said in April that he believed the VNRC, and particularly the Ford Foundation EPIC project, had almost "total impact" on the Land Capability and Development Plan. He thought that EPIC's public relations and "propaganda" campaign funded by $125,000 of Ford money was very effective and almost impossible to fight. While he wanted his group to fight some of the premises of the VNRC's early environmental initiatives, he gave up even thinking about that when the Council received its Ford Grant. "Once the momentum got moving there was no way to stop it." Such a remark no

doubt reflects hindsight not necessarily opinion held in 1971 when EPIC received its Ford grant; however, such an attitude probably does indicate a reason for not contesting the plan in late 1972 and early 1973 when the major public decisions were made and by which time EPIC projects had contributed to the climate for accepting the plan.

VI. Conclusions:

A principal objective of the Citizen Participation Project at the Environmental Planning Information Center was to develop a "general model describing the coordinated roles of expert opinion, public opinion, and special interest groups in the formulation of environmental policy at the state level."

In this study of the influence of private interest groups and public policy advocates on Vermont's Land Capability and Development Plan perhaps the major conclusion is that the advocate who has the technical and legal ability to express a general climate of public opinion as a precise public policy, and who has the political ability to convince government policy-makers that his proposal is an expression of public opinion will have the greatest influence on a public policy. In short, the advocate who most nearly succeeds in equating a policy proposal with public opinion on an issue and who pursuades policy-makers that he has done so will have the greatest chance of seeing his proposal adopted.

While this result may seem obvious, the process by which the equation should be achieved is not. In order to understand this process the alleged influences on Vermont's Land Capability and Development Plan as well as the activities of public policy advocates seeking to affect the Plan were analyzed in terms of four communication decisions: namely, a target decision, a timing decision, a content decision, and a media decision.

Understanding the target decision requires a knowledge of where the advocate operates in relation to other decision making groups. Thus, the system of influences on the content and passage of the Land Capability and Development Plan as reported by legislators, administration policy makers, and public policy advocates was charted to determine which groups inside and outside of Vermont state government influence each other. It was found that the advocate functions as an informal adjunct of the administration. Like the administration, his alleged influence seems to have been greater on the content than on the passage of the Plan. Public policy advocates as a group generally seem insulated. While they appear to be extremely sensitive to each other's activities, they do not seem greatly influenced by the views of interested or concerned citizens and the general public.

To model the timing, content, and media decisions the functional relationships between the policy maker and the public policy advocate were examined to determine what services must be provided by each party. The timing of an advocacy campaign must be closely coordinated with the four stage cycle of governmental policy making. This cycle consists of problem detection and definition; determining objectives which would constitute a solution to the problem; determining the specific legislative or administrative policy which will be written in the form of bills, regulations, or executive orders, to achieve the desired objectives; and controlling the implementation of policy once it has been approved.

Having determined where along this cycle consensus or dissent on an issue exists among legislators, administration leaders, interest groups, and the general public, positions supported by the advocate should address the next succeeding stage beyond which there exists a consensus among the targets of an advocacy campaign. The content of the advocate's campaign should provide the policy maker with information he requires to make his timing and content decisions. Thus, the advocate must be able to demonstrate to the policy maker

where consensus exists among other decision-making bodies, and he must have the legal and technical capability to provide the policy maker with precise proposals concerning a public problem, objective, or policy. The most effective medium for transmitting policies and proposals supported by the advocate is probably through members of the informal policy elite surrounding state government policy makers. For the advocate to attain membership in this group is a long-term process involving several advocacy campaigns on related issues.

As straight forward as most of this model strategy for the timing, content, and media decisions may seem, few advocates probably fulfill all of its requirements. In order to understand why some groups succeed and why some fail to achieve their objectives, the activities of the three principal interest groups seeking to affect Act 250 planning during the period June 1971 - April 1973 were compared to the model strategy.

It was shown that, by the autumn of 1972, the public in Vermont was agreed that land development and speculation particularly by out-of-staters was a major problem facing the state. Furthermore, the public was agreed on the objective of restricting the conversion of farm and forest land to commercial and industrial uses. By December at the latest, most legislators, administrators, and interest group spokesmen, were probably aware of these general sentiments. In that context, by the time major drafting and revising of the plan occurred starting in September 1972, of the three groups examined, only the members of the EPIC Steering Committee were addressing the right issue: namely, the formulation of specific development and land use policies. Moreover, only they had the political credentials and the technical ability to gain acceptance for proposed policies. The leaders of Common Sense Associates and the Landowners' Steering Committee, representing business and real estate interests, were out-of-tune with the public temper. Approval of a very limited development plan or total rejection

by the legislature was not politically feasible after the summer of 1972. Furthermore, the somewhat abusive tactics of these groups' leaders and particularly the Landowners' Steering Committee's suggestion that a subversive element was backing the Land Capability and Development Plan probably pursuaded some undecided legislators to vote for it.

To conclude this report, a comment on its implications for the improvement of citizen participation in government policy making is appropriate. Despite the slight recognition accorded the general public by legislators, administrators, and interest group leaders, it is nevertheless evident that the public had a significant impact by virtue of providing a general climate of opinion which made approval of some fairly comprehensive development plan by the legislature highly probable. Limited though it was, most government leaders did not make full use of the information which was available on public attitudes toward the Plan. Even the members of the EPIC Steering Committee seem only to have been "the right men in the right place at the right time," and there is no evidence that the group ever acted according to a consciously thought out plan covering all types of influence on the Land Capability and Development Plan.

While it is probably too much to ever expect a majority of the public to have sufficient understanding of complex planning problems to be able to formulate a specific policy, a significant contribution to citizen participation could be made by a systematic program of public information together with sophisticated polling to assess public consensus on the general issues raised in each stage of the cycle of decision making. But, while such a program is technically feasible, it is also true that most legislators, administrators, and public policy advocates do not understand the use of the information that would be produced. Therefore, it is also necessary that leaders in and out of government learn how to focus their programs on the type of issue perceived by the public, while also educating it to anticipated problems which they, as leaders, should perceive. Until that happens, political leadership will be largely a matter of chance.

# VI. APPENDICES

A. The Survey of Vermont Decision-Makers: Technical Description

B. The Survey of Vermont Interest Group Leaders: Technical Description

## A. The Survey of Vermont Decision-Makers: Technical Description

Most of the projects undertaken by EPIC have as their main purpose the collection of public opinion on issues of public policy and the assessment of individual or group participation in Act 250 planning. It remains to be asked whether or not the information provided by EPIC and other groups was of any use to or had any influence on decision-makers in Vermont state government.

In December 1972 the Citizen Participation Project began a two-stage experiment to provide a partial answer to the question. The first stage, consisting of one hour personal interviews with Environmental Board members, legislators, as well as spokesmen for the Davis and Salmon administrations, was conducted from December through March. Among legislators, sixty-four members of the one hundred fifty member House, and all thirty members of the Senate were interviewed. House members were stratified into "king-makers", "influentials", such as committee members considering the Plan, and a random sample of twenty-one members drawn from the one hundred six not belonging to the previous categories. Senate members were similarly classified as belonging to the "leadership", or as being "influential" by virtue of their committee assignments, or as belonging to the remainder of the Senate. The interviews, consisting of open-ended questions, sought to elicit decision-makers' feelings about the type of information derived from public hearings and EPIC polls which would influence their decisions. In addition, questions were asked concerning the person's involvement with Act 250 planning, his contact with citizens' groups, the type of information on which he generally bases his decisions, whom he thought would influence his decision on the plans, and whom he thought would be of greatest influence on the passage of the plans by the legislature.

A copy of the interview schedule for the first wave of interviews is included at the end of this appendix.

The second stage of the decision-maker survey consisted of twenty minute personal follow-up interviews with a sub-sample of the original interviewees. These interviews were performed after the passage of the Capability and Development Plan in each house of the legislature. Individuals being reinterviewed comprised all legislators who appeared to "change their views" on the Plan, based upon impressions gathered from the initial interview, as well as a stratified random sample of approximately one half of the pro and con legislators who did not appear to change their positions. In addition, prominent administration spokesmen who appeared to play a significant role in the passage of the Capability and Development Plan were reinterviewed.

In the follow-up interviews individuals were asked for changes in their attitude toward the Plan and for changes in citizen contact since they were first interviewed. Interviewees were also queried as to whom they thought had had the most influence on the content and on the passage of the Capability and Development Plan. A copy of the second wave interview schedule is included at the end of this appendix.

In general, the quality of the information obtained by interviewers is high considering the sensitive, politically charged nature of the questions being asked. Both legislators and administration officials were usually very cooperative and, contrary to initial apprehensions, appeared willing to talk candidly with EPIC staff members.

# INTERVIEW SCHEDULE, DECISION-MAKER SURVEY - WAVE I

Revised

1. Introduction

Outline on the phone, repeat information at the beginning of the interview.

A. EPIC -

Environmental Planning Information Center. It is the research arm of the Vermont Natural Resources Council.

B. NSF -

We are conducting a scientific study under a National Science Foundation Grant to determine how the opinions of citizens may be better integrated into the governmental decision making process, in particular Act 250, and the related land use plans.

This study will be used by the NSF to aid other states and the federal government in involving citizens in social planning and decision making.

C. Reasons for interview -

Part of this project involves understanding what kind of information decision-makers find useful in making decisions. For this reason, you being an important decision-maker, we would like to ask your help in conducting this study.

D. Confidential nature of interview -

Assure person being interviewed that the interviews are confidential. There will be a report to NSF, but the information will be statistically amalgamated to produce general theories and will not utilize any specific names.

INTERVIEW

A. To what extent have you been involved with Act 250 and the Land Use Plan?

B. Have you been contacted by concerned citizens or interest groups in the state?

If yes - Has this contact influenced you or been helpful to you?

If no - Who would you like to hear from (give suggestions if they find it difficult to answer - farmers, realtors, conservationists, LWV, etc.).

For the yes group - Who else would you like to hear from?

C. What kind of information from these people would you like?

At this point or before they may tell you it is too late for information, and that the decisions have already been made. Then you ask -

What kind of information would have been useful to you a couple of months ago and from whom would you have liked the information?

D. Have you seen results of the poll done on Land Use Plan and the survey of the hearings?

If yes - What did you think of the polls?

If no - Give them a copy and allow them time to look at it and make comments.

E. Explain that the hearing survey is an example of self selection and the Vermont Poll is a random survey. (Explain each)

F. Which of these surveys would you find more useful?

G. If there is other information you would like, would you prefer a self selection or a random poll to obtain the information?

H. How would you use this information?

I. Who influences your personal thoughts about the plan?

J. What persons or groups do you think will have the most influence on the Plan?

K. What persons or groups do you think have been left out of the planning process and should not have been?

Go to specific questions

SPECIFIC QUESTIONS ON THE PLAN

I would like to ask you about six specific issues related to the Land Use Plan. We are asking these questions in order for us determine how information you receive from your fellow decision-makers and the general public is helpful to you in forming your opinions.

We would like at a later date to talk with you for a few minutes to see whether your opinions about these issues have changed and if so, what information influenced your thinking.

1. What do you see the mandate of Act 250 to be?
   a. Do you see Section 19 (The Capability and Development Plan) as presented to the legislature as carrying out this mandate?
   b. Should planning be used to manage development and growth in Vermont?

      If yes -

   c. Do you think the Land Use Plan will be effective?
   d. Do you see the second home industry being compatible with the recreation industry?
2. What extent should the plans govern local and regional plans?
3. Do you believe development should be clustered around existing population centers?
4. To what extent do you think primary farm land should be protected from -
   a. industrial development?
   b. residential development?
5. To what extent do you think forest land should be protected from -
   a. industrial development?
   b. residential development?
6. Do you think local tax assessment policies should reflect land uses stipulated by the Land Use Plan?

## QUESTIONNAIRES AND SURVEYS

A. Random vs Self-selecting.

| Random | Self-selecting |
|---|---|
| 1. Sample size (number of respondents) specified statistically. | 1. Sample size dependent upon individual respondents. |
| 2. Results representative of sampled population. | 2. Results only reflective of individuals who responded. |
| 3. No measure of concern of individuals over issues. | 3. Respondents represent individuals concerned about the issues (both for and against). |
| 4. Provides no opportunity for each population member to express him/herself. | 4. Provides an opportunity for each population member to express him/herself. |

B. Examples.

| Random | Self-selecting |
|---|---|
| 1. Telephone poll of all Vermonters based on random sampling of telephone subscribers. | 1. Distribution and collection of questionnaires to Vermonters attending public hearings on Act 250 Land Use Plans. |
| 2. Telephone poll of members of a specified group, such as AFL-CIO members, based on randomly chosen sample. | 2. Mailing of questionnaires to a set of Vermont households, such as Montpelier cable TV subscribers or AFL-CIO members. |

DECISION-MAKER SURVEY: WAVE II

1. Since I last talked to you on _____, has there been any change in the degree of your involvement with the Land Capability and Development Plan?

   If so, how?

2. Has there been any change in the amount or type of contact you have received (concerning the Land Capability and Development Plan) from, for example, constituents, fellow legislators, interest groups and lobbies?

   If so, how?

3. If yes to 2 - Has this new contact been helpful or influenced you?

   If so, how?

4. Would you say your attitude toward the Land Capability and Development Plan has changed since I last talked to you?

   If so, how and why?

   (If the respondent answers "No" and this is inconsistent with our knowledge, probe: You indicated to me previously that you felt _____. On the other hand, you voted _____. Why?)

5. What persons or groups do you think had most influence on (I) the passage of the Land Capability and Development Plan in the House (Senate) and (II) the content of the Land Capability and Development Plan as voted out of the House (Senate).

6. What are the two most important problems facing the state?

B. The Survey of Vermont Interest Group Leaders: Technical Description

Organized interest groups and particularly business lobbies were expected to pay an important role in Act 250 planning. In order to understand their function in the overall contribution of public opinion to the Capability and Development Plan, a two step survey of interest group spokesmen was performed by EPIC staff members.

The first stage consisted of informal personal interviews with spokesmen for twenty-five statewide interest groups that were expected to be concerned with Vermont's land use and policy planning. These organizations represented a spectrum of interests ranging from the construction, manufacturing, and recreation industries to realtors, environmental groups, and general public interest advocate groups.

Interviews for the first wave of interviews were performed during the summer and fall of 1972 prior to the promulgation of the proposed Act 250 plans by the Environmental Board in December. Questions concerned the group's past involvement with Act 250 and other environmental measures, the group's interest in the Act 250 plans, the group's activities that had been or might be taken to influence the plans, the group's evaluation of it's political efficacy, and the spokesman's knowledge of the operation of the Vermont political system.

A list of organizations contacted and the informal schedule employed for the first round of interest group interviews are attached to this appendix.

It must be admitted that for several reasons the quality of the first wave interviews was generally poor. First, it was often difficult to get the respondents to express themselves on the process of group influence on the plans; all too often they would only express their approval or

disapproval of the expected content of the plans and effects of Act 250. Second, it was quickly found that most groups only have the resources and will to react to a proposal once it has been put forward by the government. Thus, at the time the interviews were performed last summer, it was difficult for spokesmen to speak on the subject of their expected influence. Finally, the upset election of democrat Thomas Salmon as Governor radically altered power and attitudes on the Vermont political scene. Thus, many of the observations made by interviewees became irrelevant after the November election. For these reasons in this study the first wave of interest groups interviews have only been used to provide supporting evidence for conclusions drawn from other data.

The second stage consisted of follow-up personal interviews with interest group spokesmen during April 1973 after the Capability and Development Plan had been passed by the legislature. Eighteen groups who were thought to have made some active attempt at influencing the plan were contacted. While most of these groups had been interviewed during the summer of 1972 some newer groups which were organized in response to the plan proposals and related political events were also contacted. Questions generally paralleled those asked in the first wave. Because the interviews related to activities which groups had actually undertaken and to specific events related to the passage of the Plan rather than to hypothetical events in the future, the quality of information obtained on the second wave was much higher than for the first round of interest group interviews.

A list of organizations contacted and the informal schedule employed for the follow-up interest group interviews are found at the end of this appendix.

# INTEREST GROUPS INTERVIEWED - WAVE I

AFL-CIO (Vermont Labor Council)

Associated Industries of Vermont

Common Sense Associates

The Conservation Consortium

Conservation Society of Southern Vermont

Greater Burlington Improvement Corporation

Greater Vermont Association (the State Chamber of Commerce)

Lake Champlain Committee

Vermont Association of Realtor Boards

Vermont Association of Snow Travelers

Vermont Bankers Association

Vermont State Farm Bureau

Vermont Federation of Sportsmen's Clubs

Vermont Historical Society

Vermont Hotel-Motel and Restaurant Owners Association

Vermont League of Cities and Towns

Vermont League of Women Voters

Vermont Natural Resources Council

Vermont Petroleum Association

Vermont Public Interest Research Group

Vermont Sierra Club

Vermont Ski Areas Association

Vermont Tomorrow, Inc.

Vermont Truck & Bus Association

The following governmental and former governmental officials were also contacted informally by EPIC staff during Wave I of the interest group survey.

Royal B. Cutts, Chairman, House Natural Resources Council

Philip H. Hoff, (former) Governor of Vermont

Peter Martin, Aide to (former) Governor Deane Davis

Francis R. Peisch (former) member of the Vermont House of Representatives from Burlington

John J. O'Brien, State Senator Chittenden County

INFORMAL INTERVIEW SCHEDULE - INTEREST GROUP SURVEY

WAVE I

1. Introduction

   EPIC project explained, purpose and nature of interview outlined. Interviewee informed that the interview would be confidential.

2. Characterization of the Organization represented by the interviewee.

   The interviewer probed to determine the principal functions and the structure of the organization. The interviewee was carefully approached concerning the relationship of political activities to the group's purposes.

3. Attitudes of the Organization on the Act 250 plans.

   After a brief introduction on the forthcoming Act 250 plans the interviewee was queried as to his organization's interest in the plans both in terms of content and administration. The interviewee was also asked whether he thought the plans could affect economic activity in Vermont, whether land use planning was needed in the state, and what he thought should be included in the plans.

4. Assessment of the future of the Act 250 plans.

   The interviewee was asked whether he thought the plans actually would affect economic activity and development in Vermont, what he thought would be the evolution of the plans through the administration and legislature, how he thought his organization might participate in the planning process and at what point in this process his organization could exert its greatest influence on the plans if it desired to do so.

5. General Outlook on the Vermont Political Scene

   Finally, the interviewee was queried as to which individuals and groups exercised or would exercise the greatest influence on state land use policy and environmental planning in Vermont. An assessment of the source of these individuals' and groups' influence was also sought.

INTEREST GROUPS INTERVIEWED

WAVE II

AFL-CIO (Vermont Labor Council)
Associated Industries of Vermont
Common Sense Associates
Landowners for Act 250
Landowner's Steering Committee
National Wildlife Federation
Vermont Association of Planning and Development Agencies
Vermont Association of Realtor Boards
Vermont Association of Snow Travelers
Vermont Bankers Association
Vermont State Farm Bureau
Vermont Federation of Sportsmen's Clubs
Vermont League of Cities and Towns
Vermont League of Women Voters
Vermont Natural Resources Council
Vermont Public Interest Research Group
Vermont Ski Areas Association
Vermont Tomorrow, Inc.

INFORMAL INTERVIEW SCHEDULE - INTEREST GROUP SURVEY

WAVE II

1. Introduction

EPIC project explained, purpose and nature of follow-up interview outlined. Interviewee informed that the interview would be confidential.

2. Organization Activities related to the passage of the Capability and Development Play by the legislature.

The interviewee was asked what activities his organization had undertaken to influence the passage of the Capability and Development Plan in the legislature. In some cases individuals were asked whether they had lobbied for or against the repeal of the non-returnable "bottle ban" law which for a time was tactically coupled to the Plan by some legislative leaders. The individual was also asked the reasons why his organization did or did not act to influence the passage of the plan.

3. Organization Attitudes on the Act 250 Plans.

The interviewee was then asked whether he or his organization were satisfied or dissatisfied with the Capability and Development Plan as approved. In addition, desires for the Land Use Plan to be written during the summer of 1973 were elicited.

4. Future organization activities related to the Act 250 plans.

The interviewee was asked whether and how his organization might attempt in the future to influence either the administration of the Capability and Development Plan or the content and passage of the Land Use Plan. Suggestions were also sought as to how his and similar organizations might be more fully incorporated in the Act 250 planning process.

5. Organization Self-Evaluation.

The respondent was asked to evaluate the actual effectivenesss of his organization's influence on the Capability and Development Plan. A description of the group structure and decision-making process was obtained and the spokesman was asked to suggest ways in which his group could have been more effective in its attempts to influence the Act 250 plans in the legislature if it had or did desire to do so.

6. General Outlook on the Politics of Environmental Policy in Vermont.

Finally, the interviewee was asked which groups and individuals exercised the greatest influence on environmental policy generally and the Capability and Development Plan specifically. Reasons for their influence was sought. An assessment was also made of groups or individuals which had either no influence or a negative influence on the Capability and Development Plan.

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Appendix

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and

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of

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The Environmental Planning Information Center
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Montpelier, vermont

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